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EIGHT PAGES
FROM SUNDAY'S
The New York Times
WEEKLY REVIEW

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VOLUME LXIII, NUMBER 18892 MONDAY, FEBRUARY 13, 1995 • I ADAR 13, 5755 • RAMADAN 14, 1415 NIS 4.20 (EILAT NIS 3.60)

Harish, Qreia agree on renewal of Gaza cement shipments

JOSE ROSENFELD

AS the closure continued paralyzing Gaza and the territories, Industry and Trade Minister Micha Harish and Palestinian Authority Economics Minister Ahmed Qreia (Abu Ala) yesterday agreed on solutions to enable the immediate resumption of cement shipments to the Gaza Strip.

The supply of cement to Gaza is essential, since construction is one of the few active industries in the area.

The two also began discussions on establishing special industrial zones in the border areas near Gaza, and later in Judea and Samaria, to provide jobs to the Palestinians while reducing the security risks to Israel.

The sides agreed on multiple solutions for shipping cement, including unloading it from Israeli trucks at the Erez checkpoint and loading it on Palestinian trucks, switching truck trailers at the checkpoints to Palestinian trucks, and allowing a limited number of Palestinian trucks to bring cement from Israel.

Today, Qreia is to meet with Energy Minister Gonen Segev at Erez to discuss solving the fuel crisis in Gaza. Following last week's killing of an Israeli security guard, Israeli fuel tankers have not traveled to Gaza.

Qreia said the Palestinians are interested in importing fuel from Egypt or Jordan. Segev said last night another solution could be switching tankers at Erez.

However, Industry and Trade Ministry officials say there is an oil depot at the Nahal Oz junction, and with the expansion of the existing oil pipeline, Israel could supply Gaza 500,000 liters a day within two months. Officials from Dor Energy have drafted a proposal for supplying fuel by pipeline.

Qreia said he had a very good meeting with Harish, but warned that "without solving the problem of unemployment, we don't see a good way to peace." He reiterated that the closure hurts the Palestinians the most and is a collective punishment. He noted that, for the short term, Israel needs to open its doors to employ Palestinians, since the industrial zones is a longer-term solution to Palestinian unemployment.

Within a week, a joint working group is to be set up to coordinate the establishment of industrial zones.

The Jerusalem Post has learned that Israel is proposing to use the model of the Free Export Processing Zone (FEPZ), with some modifications, for the border-area industrial zones, based on a Ben-Gurion University study.

The special zones would be managed by a joint Israeli-Palestinian council, which would have the overall responsibility for developing and managing them. The council would collect fees from businesses located in the zone to finance its operations.

To encourage companies to locate in the zones, the government would give them the same benefits available in development zone A, and Israelis working in the zone would be entitled to the same tax deduction available to civil administration employees working in the Erez industrial zone.

Israeli law would apply in the zone, but personal income taxes would go to the PA, and firms would be exempt from company income taxes.

The areas would be established near the Erez and Nahal Oz junctions and would leave the Palestinians with an option to develop a parallel zone on their side.



Foreign Minister Shimon Peres arrives at Blair House for the meeting with Arab ministers in Washington yesterday. (Reuters)

Palestinians promise to combat terror

Statement wraps up Washington summit

HILLEL KUTLER
WASHINGTON

ISRAEL yesterday succeeded in obtaining a Palestinian commitment to take specific steps against terror before implementing the next phase of the autonomy plan.

According to a separate communique issued by the two sides at the conclusion of the foreign ministers' meeting here, the Palestinians are responsible for "preempting terror, prosecuting those responsible, and denying those who plan and carry out terror or violence any safe haven."

Foreign Minister Shimon Peres told Israeli reporters last night that Israel had not promised it would lift the closure of the territories in exchange for the Palestinians taking those steps.

Peres said the Israeli position toward the Palestinian Authority is, "Take care of terror and we'll take care of everything we promised. We'll judge according to the actions, not declarations. We said the expectation of these things are those that will determine the lifting of the closure," Peres said.

The communique, which was issued along with a multilateral declaration of Israel, the Palestinians, Egypt, and Jordan, followed 7 1/2 hours of negotiations involving Peres, PA planning minister Nabil Shaath and Secretary of State Warren Christopher. They were joined by Egyptian Foreign Minister Amr Moussa and Jordanian Foreign Minister Abdul Karim Karabli.

Peres said Israel also resisted Egyptian demands that the question of Israel's nuclear capability be addressed in the communique.

President Bill Clinton opened yesterday's meeting saying the United States would "redouble our efforts to get the peace process back in full gear."

"It is no secret to anyone in the world that we are at a critical moment in the peace process. We cannot allow the rise of terror again to threaten this peace," Clinton said at Blair House.

"For example, if you agree to establish industrial zones in the West Bank and Gaza and elsewhere, I am prepared to go to Congress and seek approval for extending duty-free treatment to products coming out of those two zones."

"Let me say, also, that even though we must have enhanced security to create enhanced economic benefits, it is obvious that our attempt to do that is impaired when the movement of goods is limited by boycott, by closure, by any other action. So we are all going to have to work hard to make progress on the peace front, on the security front, and on the economic front at the same time. We all have to recognize that there are difficult decisions to be made in this area."

Closure to remain in force

DAVID MAKOVSKY

THE cabinet decided to maintain the closure of the territories this week, with security officials apparently pressing to continue it into next week, to prevent possible terror attacks meant to coincide with the anniversary of the Maschpa Cave massacre.

The Hebron massacre took place last February 25. Id al-Fitr, the Muslim holiday marking the end of Ramadan, is February 26.

Deputy Defense Minister Mordechai Gur noted yesterday that none of the perpetrators of terror attacks had permits to work in Israel.

But Agriculture Minister Ya'acov Tsuri said that whether there actually is a closure or not is becoming increasingly irrelevant, since Israeli farmers and building contractors, expecting periodic closures, are ceasing to rely on Palestinian workers and are relying more on foreign laborers.

Israel gets enhanced EU trade status

JOSE ROSENFELD

FRENCH Foreign Minister Alain Juppe agreed during his visit here last week to have Israel participate in the working committees that decide members' participation in EU-wide joint research and development projects, Industry and Trade Minister Micha Harish said yesterday.

The move by the EU is an apparent vindication of Harish's resistance to signing a free-trade agreement with the EU. One of Harish's major objections was that Israel would be obligated to pay an annual membership fee of \$30 million, without having any say on what would happen to the money.

At his meeting last Thursday with Juppe and Prime Minister Yitzhak Rabin, Harish pointed out that under the agreement's conditions, Israel had all the obligations of a EU member, "but had to sit in the hallways instead of sitting in the committees where the work gets done."

According to Harish, at this point, Juppe surprised everyone and said: "I will make sure that you will have observers inside the committees."

Harish said that if Juppe is successful in getting the other EU

members to accept this, it will be a turning point in the EU-Israel negotiations.

Harish hinted that the Foreign Ministry was wrong when it claimed that the agreement should have been concluded months ago, when the Germans were holding the EU commission's presidency, since it assessed the French would be harder to deal with.

"The Germans were busy with elections and did not have the time to lobby member countries to get Israel better terms," explained Harish.

Despite the breakthrough, Harish sees negotiations continuing for several months to expand EU government procurement of Israeli goods, open agricultural trade, and get the Israeli content of Eastern European goods to be treated as of EU origin.

Harish argued that trade terms with the EU have to be improved to reduce the country's \$7.5 billion trade deficit with Europe. Juppe responded that part of the deficit derived from Israeli diamond imports. However, Harish pointed out that even without diamonds the deficit was greater than \$6b.

Harish said he believes that since 1975, when Israel signed its original free-trade agreement with the EU, the union has expanded and includes southern European states, which feel affected by Israeli competition, and are therefore resisting a greater EU opening to Israeli goods.

Honoring Dresden's dead is a very delicate task

DRESDEN (AP) - Chancellor Helmut Kohl and foreign dignitaries watched in disbelief yesterday as 10 young leftists raced up to the altar during a solemn service marking the 50th anniversary of Dresden's destruction by British and American bombers.

One protester yelled "Germans were the criminals, not the victims," and the group attempted to unfurl a banner with that message. They tossed leaflets arguing that commemorating the Dresden firebombing insults the Jews murdered at Auschwitz.

The leftists scuffled with church ushers, who finally shoved them out.

The incident underscores the moral complexities of paying homage to an estimated 35,000 Germans who died in the firebombing that leveled this city on February 13-14, 1945.

Observances organized by church and government officials portray Dresdeners not as victims of the Allies, but of a war begun by their own country.

The anniversary is being marked in lavish style. The German government, snubbed at such events as the D-Day commemorations, has never commemorated a World War II event on such a grand scale.

Britain's Duke of Kent, a cousin of Queen Elizabeth II, arrives today for a wreath-laying ceremony at Dresden's main cemetery, where the firebombing victims are buried.

American and British diplomats and military brass are also to be on hand. Orchestras are playing classical requiems. Historians, poets and novelists are giving readings and lectures.

The world has argued for five decades whether it was immoral to firebomb Dresden, a city with little military significance.

The two British raids caused fires that destroyed most of Dresden's famed architectural splendors, including the 18th century Church of Our Lady, the 16th century Dresden Palace and the now rebuilt Semper Opera.

Plea bargain allows Rajoub's bodyguards to go free

BILL HUTMAN

THE bodyguards of Palestinian security chief Jibril Rajoub will serve no time in jail for September's much publicized American Colony Hotel kidnapping case, according to a deal between their lawyer and the Jerusalem district attorney.

Sources close to the case said the three bodyguards, who are already back at work, would plead guilty to assault charges in exchange for kidnapping charges against them being dropped.

The deal, finalized recently, is scheduled to be presented before the Jerusalem District Court on February 27.

The Jerusalem police spokesman declined to comment. In September, when the story

broke, police spoke out strongly against illegal activity by Rajoub in Jerusalem and vowed to halt it.

Jerusalem police at the time said the bodyguards kidnapped Palestinian TV chief Samir Samara from his room in Jerusalem's American Colony Hotel.

Samara was tied in a sheet by the guards and taken to Jericho for interrogation into allegations of immoral activity on his part, police testified when the case came to light.

The guards strongly denied the charges. Rajoub said Samara had come to Jericho of his own free will, and demanded Israel drop the case.

The guards were released from jail and put on house arrest a month after being detained. They were soon released from house arrest and even allowed to travel abroad.

Naela Atiya, the lawyer for the bodyguards, said she believes the Israeli authorities were interested in making a deal in order to cool tensions with Rajoub.

She said the deal calls for the bodyguards to receive only suspended sentences.

"Israel knows its cooperation with Rajoub is important," she said. "After Rajoub's men prevented the bombing by the Al-Nabliya Bridge [last week], I knew the deal would be made," she added.

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Human Rights Watch report takes PA to task

HILLEL KUTTLER and news agencies
WASHINGTON

THE Palestinian Authority's security services do not consistently behave according to the rule of law, an American human rights report has found.

"The perilous state of human rights in the Palestinian self-rule areas poses a grave threat to prospects for a durable peace in the region," the New York-based Human Rights Watch charged in its annual report, released last night.

The PA "has failed to anchor its conduct in the rule of law, and has often acted in an arbitrary and repressive fashion," the re-

port found.

The report said Palestinian authorities beat and mistreated Palestinian detainees during interrogations, especially those accused of collaborating with Israel.

"One suspected collaborator was tortured to death in July, and a second died under still-unclear circumstances," it said.

The case in July of Farid Jarbou'a, 28, a taxi driver, shocked Palestinians long used to accusing Israel of torture and violence.

The report quoted Jibril Rajoub, the Palestinian preventive security chief in Jericho, as saying

the second case, last month, would be investigated and the results made public.

The report said the Palestinian Authority must prevent and punish attacks by militant anti-Israeli groups and not merely indiscriminately round up the groups' supporters.

"Nearly all of the persons arrested appear to have been targeted for their suspected political affiliations rather than because

they were accused of direct involvement in the attacks," the report said. Few, if any, were formally charged, it said.

At the same time, Israel is applying "indiscriminate" penalties on Palestinians, which are having dire consequences on the economic well-being of territories' residents, the report charged.

"Residents of the self-rule areas continue, like their compatriots on the West Bank, to be vul-

nerable to the use of excessive force by Israeli security forces, although on a lesser scale than before," it says.

The report, which routinely criticizes Israeli human rights practices in the territories, is the first the group has issued on PA behavior.

It follows by two weeks the State Department's annual report that both commended and criticized aspects of Israeli and Palestinian human rights behavior.

Khaled Kidra, the PLO's attorney-general, rejected the allegations as "unjustified."

"The Palestinian Authority does not arrest people because of their political beliefs," Kidra told The Associated Press. "I believe that one of the top priorities of the Palestinian Authority is law and order."

Jon Immanuel adds:

Palestinian Authority adviser Nabil Abu Rudeineh said the Human Rights Watch report's "conclusions are not based on reality. There is law here. We have been here only seven months. Even if there is some mishandling of the law I think that these things will be corrected."

Rabin
warns
Levine
to watch
his words

DAVID MAKOVSKY

PRIME Minister Yitzhak Rabin and Chief of General Staff Lt. Gen. Amnon Shahak criticized OC Northern Command Maj. Gen. Amiram Levine in the cabinet yesterday for withholding some information from the family of Maj. Kewaan Hamad, who was killed last December in an apparent friendly fire accident in southern Lebanon.

According to an aide of the premier who participated in the meeting, both Rabin and Shahak said Levine "should have been more careful" and should have fully informed the Druse family about circumstances surrounding Kewaan's death.

Levine was quoted by a local Haifa newspaper *Kol-Bo* last week that he withheld information from Hamad's family about how Hamad was killed, since "there are problems with the Druse faith and the way they deal with death."

Levine said he had been quoted out of context.

Former chief of staff Moshe Levy is investigating the circumstances of Hamad's death, including the question of whether he was killed by IDF fire when soldiers were conducting "kill verification" after their armored personnel carriers were ambushed by Hizbullah gunmen. The practice involves continued firing at an enemy suspected of still representing a threat.

Levine said Hamad was killed by enemy fire, but may also have been shot afterwards by IDF soldiers.

Druse MK Salah Tarif has called for Levine to be suspended until the inquiry is completed.

IDF officers told the cabinet yesterday there are times the IDF does employ "kill verification," such as when it suspects a wounded terrorist may toss a grenade.

Former Arafat confidant reportedly returns to fold

JON IMMANUEL

A FORMER confidant of PLO leader Yasser Arafat, who became one of his fiercest critics, has applied to return to the fold and take his place in the Palestinian Authority, Israel TV said last night.

Palestinian Authority officials could not confirm the report, and some doubted it.

Brig. Atallah Atallah (Abu Zaim) was head of the PLO's intelligence and security apparatus in the late 1970s, but defected to Jordan in the mid-1980s, claiming that Arafat was driving the PLO into the ground politically and financially.

The television said the government is concerned that his return

could mean that Arafat wants to create yet another security apparatus, in addition to the four or five which currently exist.

On the other hand, Abu Zaim was considered an effective intelligence officer in his time, and his pro-Jordanian stance could make him a valuable moderating influence.

His return to Fatah appears to have been made possible by the recent PLO-Jordan accord. Being pro-Jordanian, Abu Zaim would probably have difficulty being accepted by Arafat's supporters, such as Jericho Preventive Security Chief Col. Jibril Rajoub, who is intensely anti-Jordanian.

Palestinians disappoint Histadrut one more time

MICHAEL YUDELMAN

PALESTINIAN trade unions called off the ceremony for signing a cooperation agreement with the Histadrut, which had been set for last Friday.

Histadrut Chairman Haim Ramon and foreign relations department head Jacques Neria are furious at the cancellation, the fourth in a row. The reason given this time was the closure on the territories and the impasse at the meeting between Prime Minister Yitzhak Rabin and Yasser Arafat last Thursday.

The agreement, signed in principle several months ago, was to have been signed as part of the Nobel Prize ceremony in Oslo last December. But the event was canceled when the Palestinians insisted on inviting trade union delegates from Tunis to the ceremony, rather than those from Gaza and Nabulus, who had hampered out the agreement together with the Histadrut people.

The event was then scheduled for later that month in Brussels, only to be canceled at the last moment, after all the Histadrut leaders and hundreds of trade unionists from all over the world

had already gathered for the ceremony.

The Palestinians demanded that the Histadrut recognize Jerusalem as their capital, and would not accept that this was an issue outside the Histadrut's jurisdiction and should be left to the political level.

The occasion was put off a third time a few weeks ago.

A Histadrut source said yesterday that the Palestinian trade unions are merely a front for political organizations, and take their orders directly from Arafat.

Gore to visit Israel, Egypt

DAVID MAKOVSKY

US Vice President Al Gore will visit Egypt and Israel late next month.

The Cairo trip is an effort to smooth over tension regarding the upcoming extension of the Nuclear Non-Proliferation Treaty (NPT).

Senior administration officials say privately that they have given up on Egypt supporting NPT extension when it comes up in April, since President Hosni Mubarak has said the issue is one of principle. They believe that Egypt, in any event, will be bound if a majority of the 167 signatories vote to extend the treaty, therefore they are more concerned that Egypt refrain from inciting other Arab countries against NPT extension.

The issue has just been one recent strain in the US-Egyptian relationship, which Gore is expected to attempt to ease.

US newspaper reports claiming corruption in Egypt and criticizing Cairo's close ties with Libyan leader Muammar Gaddafi and alleged human rights abuses against Moslem militants have also damaged relations.

Formally, Gore will be in Egypt for a dialogue with Mubarak and other senior officials on how to maximize US foreign aid at a time when some congressmen have criticized the level of \$2.1 billion a year. Mubarak is expected to visit Washington shortly after the Gore trip.

Sources said Gore will arrive in Israel about March 23. They hoped new US ambassador Martin Indyk will arrive a week before Gore does.

Police to question Tibi tomorrow

BILL HUTMAN

AHMED Tibi, senior adviser to PLO Chairman Yasser Arafat, has been summoned tomorrow for interrogation on allegations of incitement by the Judea police sub-district.

Police are investigating Tibi's role in illegal demonstrations at El-Khader last month. In addition, he is suspected of calling for a renewal of the intifada.

Tibi charged the investigation was politically motivated and aimed to quiet him. "I respect the law," Tibi said yesterday.

"I never called for a renewal of the intifada," Tibi said. "What I have warned is that the intifada will be renewed if settlement activity is not halted."

"Public figures need some protection. Every time there is a complaint against them, police should not have to open an investigation that is bothersome to everyone," Tibi said. He believed "a bus driver from Tiberias" had lodged a complaint against him. A police spokesman said Tibi was scheduled to be questioned yesterday, but at his request the session was postponed.

CORRECTION

Irving Moskowitz, owner of the former Shepherd Hotel in Jerusalem, has denied that the building is to be taken over by Aseret Cohanim, as reported in last Friday's paper.

Moshav Lachish and the Volunteers
deeply mourn the tragic death of
SEAN DAVID MARSTON
from Clwyd, N. Wales.



Kach activist Doron Goldin (left), is escorted by a policeman yesterday at Jerusalem Magistrate's Court, which remanded him for eight days on suspicion of planning to attack Jerusalem Arabs. Goldin, 22, of Bat Yam, was arrested Friday near the former Mandelbaum Gate with two bottles of acid and a quantity of mercury, an explosive combination, police said. He was also carrying two knives and literature encouraging youths to avoid the draft and praising Baruch Goldstein, who committed last year's Machpela Cave massacre. A physics student at Bar-Ilan University, Goldin claimed he bought the acid to open clogged drains. (Text: Ilim; photo: Brian Hendler)

'Rabin will avoid cabinet reshuffle'

SARAH HONIG

PRIME Minister Yitzhak Rabin's inclination is to avoid a cabinet reshuffle if he possibly can and only appoint caretakers for the Shas portfolios from within the ministers in his government, according to a source close to the prime minister.

"Despite the hullabaloo about the reshuffle, Rabin is not at all eager to engage in it," the source said. "If he makes any changes at all in the composition of his government, they will be as small as the situation will possibly allow, in view of the tremendous pressure exerted on him by those who want to win admission to the government, as well as those already inside who want their portfolios upgraded."

The source said Rabin plans to win the approval of Shas leader Aryeh Deri to whatever formula he works out to reassign the former Shas ministries - Interior and Religious Affairs. Shas has repeatedly demanded that these be entrusted "for safekeeping" in

the hands of serving ministers. Those mentioned at the outset were Moshe Shabai, Yissel Kessar, Shimon Sheereti, and Uzi Baram.

Rabin's primary concern is not to shove Shas into the opposition, for fear this would severely handicap the government's ability to function and considerably shorten its life, the source said.

Shas could upset the balance in such key Knesset committees as Finance and help pass an early elections bill in the plenum. Rabin promised to announce his intentions by the end of this week or early next week. It is expected that he will place the Shas portfolios in the trust of Labor ministers and will keep Meretz out of the picture, despite vociferous Meretz claims on the interior portfolio.

At this point the only outsider with any remote chance of entering the government is Deputy

Foreign Minister Yossi Beilin, according to a promise Rabin made to Beilin's patron, Shimon Peres. However, the most Beilin can expect is being named minister-without-portfolio, the source said.

Despite the media hype about co-opting former chief of General Staff Elmad Barak and Histadrut Chairman Haim Ramon, the source views such developments as "unlikely till the summer at least. Ramon cannot leave the Histadrut so soon after being elected and Barak is barely out of uniform and studying in America now." It is thought that neither would join for anything less than one of the major portfolios, like Defense for Barak or Finance for Ramon, neither of which is available.

Ramon's case especially cannot be decided now until he is returned formally to Labor. Only if this process is successfully completed can Ramon be appointed a minister again.

Agreement near on air corridor with Jordan

HAIM SHAPIRO

el and Jordan and cooperation between the two countries in weather forecasting.

According to Omiel Schneller, the Transport Ministry official in charge of the peace talks, the two countries are almost ready with a final version of the agreement on land transport. Concerning the air corridor, he said, there was real progress, which would result in an agreement in the near future.

A draft agreement already ex-

ists concerning the transfer of cargo between Israel and Jordan, in particular for Jordanian trucks carrying goods to Haifa and Ashdod ports. Arrangements have also been made for training Jordanian weather forecasters at the Beit Dagan meteorological station.

In addition to Schneller, Israeli officials taking part in the talks included Menahem Sharon, head of the Civil Aviation Administration, Zvi Alferson, head of the Meteorological Service, and Gabi Naor, the ministry's legal adviser.

Cameraman jailed for inciting stonethrowers

POLICE have arrested a Palestinian cameraman who works for Worldwide Television News (WTN), for allegedly inciting youth to throw stones at soldiers, his employer said yesterday. Chris Slaney, WTN bureau chief,

said Abdul Rahman Khabeisa was detained by soldiers Saturday while filming in Nabulus. He was released but later arrested. Slaney denied the allegations.

Helen Kape and news agencies

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150 من الاصل

Leket and Burg trade barbs as agency showdown nears

THE two Labor Party candidates for the chairmanship of the Jewish Agency yesterday engaged in mutual recriminations as the date for a decision between them approached, but there were growing signs the vote would again be postponed.

At a press conference called to sum up his activities before Thursday's meeting of the agency's board of governors, Acting Chairman Yehiel Leket expressed his assurance he would

be the party's choice, rather than MK Avraham Burg. Leket has been serving in the temporary capacity for the past year.

"At the beginning of the race, there were declarations that MK Burg would make mincemeat of me. Now the picture looks somewhat different. I believe that on Thursday, after the advice and consent committee gives its approval, I'll be elected," Leket declared. He said he feels sure he has proved himself in the eyes of

the fund-raisers as acting chairman.

Burg countered that three leading pollsters had shown him to be the public's favorite. A telephone poll by Gallup of 1,023 adults throughout the country showed that almost 59% favor Burg over Leket, while only 7% see Leket as the right man for the job, a spokesman for Burg said. A similar result - 58% for Burg and 13% for Leket - was found in a survey done for Yedioth Ahar-

BATSHEVA TSUR

onot by pollster Mina Tzcmah among 501 persons, while a Geographia poll of 1,256 persons revealed 58.4% for Burg and 10.7% for Leket, he said.

Meanwhile, Prime Minister Yitzhak Rabin is due to meet four members of the advise and consent committee tomorrow, after they failed to endorse either can-

didate when the two appeared before them in New York last month. Burg is due to reappear before the committee, but not Leket.

"This is because they know my work and were impressed," Leket said.

"This is because the first meeting was to get to know me. The second is a working meeting," Burg said.

Burg charged that the acting chairman had spent an unprece-

dent NIS 24,000 to publish and distribute glossy copies of his annual report to the party's central committee members. Leket retorted that the pamphlet is good propaganda for the Jewish Agency and would probably need to be reprinted because of demand.

Observers said yesterday that Rabin, who personally has backed Leket, would tomorrow ask the committee members to give their approval to both candidates, so the Labor Party could

vote democratically and the ballot take place on Thursday as planned. The agency's board convenes the same day.

But at least one Diaspora leader, board head Mendel Kaplan, is believed to be opposed to Leket's candidacy. The situation may be deadlocked and the decision will be put off till summer, when other candidates' names can be raised, observers said yesterday. Kaplan was not available last night for comment.



A crane lifts a Herodian block yesterday at the Western Wall dig in preparation for Jerusalem's 3,000th anniversary. (Efraim Klishchok)

Herodian street uncovered at Western Wall

Jerusalem Post Staff

HUGE blocks pulled down during the destruction of the Second Temple were raised from the Western Wall excavations yesterday, revealing the Herodian street beneath.

The Antiquities Authority is removing the blocks, each of which weighs several dozen tons,

as part of the preparations of the site for the city's "Jerusalem 3000" millennium celebrations next year. Some of the blocks will be left where they fell 1,925 years ago. Others will be used to help reconstruct ruins in an archaeological park at the site.

The authority plans to turn the

Herodian street into a pedestrian walkway through the park, extending south from the Wall. Other parts of the project include uncovering the base of Robinson's Arch, uncovering more of the destruction-layer from the year 70 CE, including the retaining walls of the Temple Mount,

and cleaning a drainage channel uncovered beneath the Herodian street and preparing it for pedestrian access.

A number of ancient gardens are to be reconstructed as part of new archaeological excavations included in the project. Each of them is to be devoted to a different period of the city's history.

Haredi group considers new Holocaust museum

HERB KEINON

A NEWLY-formed haredi Holocaust commemoration group is considering setting up a museum and sponsoring trips to Auschwitz for groups of yeshiva students.

Agudat Yisrael chairman and former MK Moshe Ze'ev Feldman, head of the Haredi Public Committee to Memorialize the Holocaust, said that for the last 30 years, there has been an archive of Holocaust material in Bnei Brak, and that the committee is now considering finding space so the material can be exhibited.

The archive was set up by haredi journalist Moshe Prager, and documents spiritual resistance to the Nazis and examples of the sanctification of God's name during this period.

Feldman said the committee, which held its first meeting last week, was established without connection to the demand by Jerusalem city councilman Haim Miller that Yad Vashem remove pictures of naked women from its exhibits.

Feldman said the issue of how to "properly and objectively" memorialize Holocaust victims has come to the fore in the haredi community because of the recent marking of 50 years since the liberation of Auschwitz.

"This anniversary has caused a lot of people to think about how we should memorialize the Holocaust," Feldman said. He also

said that many haredi survivors are now coming forth with their stories, and are looking for the proper framework through which they can be told and documented.

Feldman said that the idea of having yeshiva students go to Auschwitz as a way of bringing home to them the horrors of the Holocaust is being considered. He said they would go there and recite psalms.

Feldman said that another idea that came up at the meeting, having a reunion of religious Holocaust survivors, did not gain much support.

Efraim Zuroff, the director of the Israel office of the Simon Wiesenthal Center, said that the Haredi world has long been seeking an appropriate framework to deal with the Holocaust.

"They have long felt that it was not being presented appropriately, that the haredi side was not adequately presented," Zuroff said. "This fits in with their approach to history. They never tell the whole story, and dwell on aspects of the Holocaust that are suitable to them, that fit in with their world view."

Israel, according to Zuroff, does not need another Holocaust memorial or museum. "Jews were killed regardless of their beliefs," Zuroff said. "The very idea that the Holocaust has to be told in a certain way undermines Jewish unity on the issue."

Aloni reprimands Bezek

JUDY SIEGEL

BEZEK has received a stiff reprimand from Communications Minister Shulamit Aloni for trying to introduce its identifying call (siha mizaha) service without ministry authorization.

Bezek is to launch the service on an "experimental basis" today, says it will strictly abide by ministry instructions and "does not intend to argue with the minister via the pages of the newspaper."

Aloni, in a letter to Bezek officials on Thursday, said the ministry is not satisfied that this privacy mechanism would really work. Because of the "reasonable concern" that privacy would be violated by the new service, she ordered Bezek to "immediately halt the service."

She added, however, that her door is always open and that talks between the two could lead to a resolution of the problems. Bezek officials hoped this could happen this week.

Several months ago, the ministry gave Bezek approval for offering identifying call service on a small scale and at no charge.

"We approved a limited experiment," ministry spokesman Moshe Pearl said, "but Bezek took advantage of this by turning it into a widespread service and charging a high fee."

The service allows subscribers to hook up a device to identify a caller even before they pick up the receiver, and even to store in its memory the numbers of those who called when they were unavailable.

"We learned from the problems faced by the identifying call in the US," said Bezek spokesman Zecharya Mizrotsky. "There were protests from civil-rights groups who insisted that such a service violated privacy. So we automatically excluded from our service the 100,000-150,000 subscribers who have unlisted phone numbers. The phone numbers of 170,000 cellular phones will not register on the displays; neither will tens of thousands of phone extensions linked to switchboards."

"In addition, anyone who wants the next call they make to be unidentified on the other end need only press the asterisk (*) followed by the number 43. Those who prefer to be unidentified on a permanent basis can make such a request by informing the operator at Bezek's 199 toll-free number."

Remand extended for Treasury man held for bribery

AN official in the Accountant-General's Office and a businessman suspected of bribing him had their remands extended until Wednesday by the Tel Aviv District Court yesterday.

The court thus partially accepted a police appeal of a magistrate's court decision to release Noah Mann, the official, and Yehoshua Pollak to house arrest.

Police had asked for a longer extension, saying that since the two are not cooperating with investigators, releasing them would jeopardize the investigation.

Mann is in charge of arranging government office space in Tel Aviv and the central region; Pollak rents office space to various government ministries. Police suspect that Pollak bribed Mann with money and by paying various bills for him.

Mann is also suspected of taking thousands of shekels in bribes from other businessmen.

On Wednesday, the two will be released under the conditions set by the magistrate's court: house arrest for 15 days, with their phones cut off for the duration. (Hm)

High Court defers decision on legality of car radio fee

EVELYN GORDON

FIVE justices sitting at the High Court of Justice yesterday heard two petitions against collecting the car radio fee from those who do not own car radios, but deferred their decision on the case.

The petitions, filed by Esther Wolf and Dr. Ze'ev and Lily Segal, argued that collecting a radio license fee from those who do not own radios violates the property-protection clause of the Basic Law: Human Dignity and Freedom.

The law states that while the rights it guarantees may be infringed for an "appropriate purpose," such infringement must be no greater than necessary - and this infringement is greater than necessary, the petitioners argued, because those who do not own radios could be exempted from the fee.

In response, the state argued that the new fee, which has been tacked on to the car registration fee, is no longer a radio fee. It is simply a tax like any other, which happens to be earmarked for the Israel Broadcasting Authority, the state said, noting that just as people without children pay taxes that support schools, there is nothing wrong with having people without radios support the IBA.

When the radio fee was charged separately, added government attorney Joshua Schoffman, it proved uncollectible: Only 40% of car radio owners paid it.

Justices Meir Shamgar, Dov Levin, Eliezer Goldberg, Mishael Cheshin and Dalia Dorner rejected the state's claim that the new levy was a tax and not a user's fee. However, they seemed to have doubts as to whether this fact made the levy illegal.

"Why should car owners [only] finance the IBA?" Dorner asked, echoing the petitioners' question.

"Maybe this isn't reasonable," Cheshin responded. "But is it [an infringement on the] Human Dignity [law]?"

Bill regulating surrogate motherhood ready for government committee

JUDY SIEGEL

A BILL to regulate surrogate motherhood will be presented next week by Health Minister Ephraim Sneh to the ministerial committee on legislation.

This was announced yesterday after Sneh met with Justice Minister David Liba'i and representatives of the Labor and Social Affairs Ministry.

A few months ago, a committee of experts appointed by the two ministries presented a report recommending that surrogacy be allowed in cases where a woman is unable to give birth herself. Soon after the report was presented, a group of would-be parents petitioned the High Court of Justice for legalization of surrogacy; the court instructed the

Health Ministry to present its official view on the issue.

The proposed legislation will include the establishment of a committee that would approve surrogacy arrangements. At least two of the six seats on the committee will be reserved for women, the ministry said yesterday. The committee will include a gynecologist/obstetrician, an internal-medicine specialist; a specialist in clinical psychology; a social worker, a lawyer and a rabbi or other clergyman.

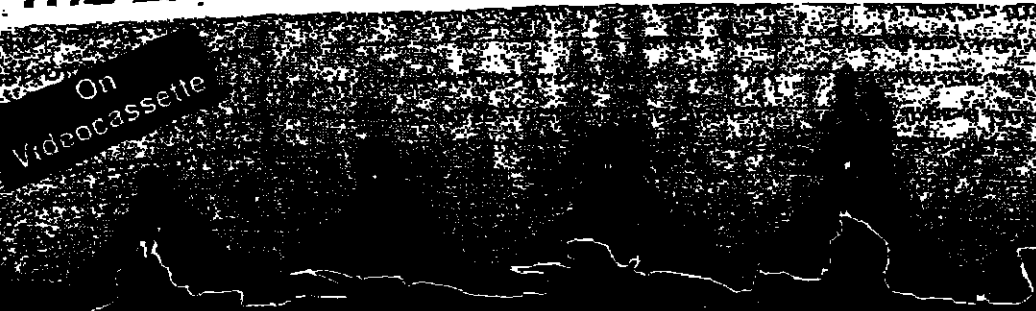
The committee, says the ministry, will allow a volunteer to give

birth to the fetus of a couple if the woman of the couple would endanger her life if she becomes pregnant; if the surrogate mother is found psychologically suitable; if both sides agree to the arrangement; and if the couple are presented with all the other possibilities for becoming parents.

Sneh said he recently met with a number of respected rabbis - whom he would not name - who "gave their agreement in principle" to his proposal.

Surrogacy is practiced in a number of Western countries and some US states, but Israel would become the first country to have national legislation governing its practice if the law is passed by the Knesset.

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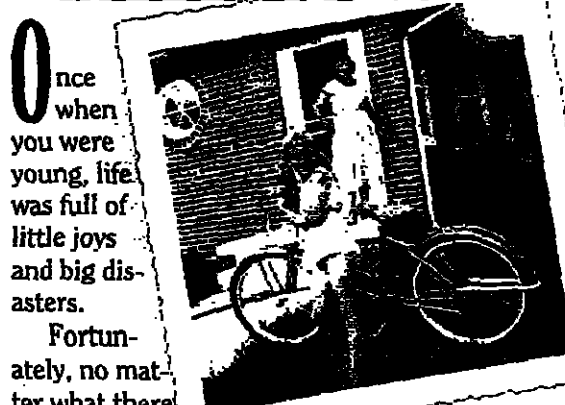
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UN tries to rescue Bosnia truce as Bihac fighting spreads

SARAJEVO (Reuters) - The UN commander in Bosnia called a meeting with the Moslem-led government army chief yesterday to head off a breakdown in a six-week ceasefire threatened by fighting in the Bihac enclave.

Over the past 24 hours about 1,500 rounds were fired from tanks, artillery or mortars in the Bihac area, one of the heaviest bombardments in recent weeks, UN spokesmen said.

Government-held Bihac town itself had been targeted, they said.

In besieged Sarajevo, snipers yesterday wounded a 16-year-old boy, then picked off a man who tried to rescue him, doctors said. The shooting was the latest violation of a truce which had eased the dangers to civilians in the city.

Doctors at the main Kosevo hospital said Dzemal Karovic was shot in the stomach.

In the Bihac area, local media reported renewed clashes, including hand-to-hand combat in the Moslem rebel stronghold of Velika Kladusa, but UN officials said fighting had died down.

British Lieutenant-General Rupert Smith, who heads the UN peacekeeping mission in Bosnia, travelled north from Sarajevo to meet government army chief General Rasim Delic in Visoko.

Delic refused to attend a ceasefire com-

mission meeting on Friday, saying in a letter that the United Nations had failed to get his Bosnian Serb rivals to comply with the truce.

The fighting around Bihac called into question the whole ceasefire, Delic said on Sarajevo television on Saturday.

"The ceasefire is hanging by a thread. We have done everything and they haven't done anything (to comply with the accord)," he said.

The truce between the government and the Serbs, who hold about 70 percent of the country and are besieging the capital Sarajevo, has generally held since January 1.

But in the northwestern enclave of Bihac government troops are battling Moslem fighters loyal to local businessman-politician Fikret Abdic.

Serbs from Bosnia and breakaway Krajina state in neighbouring Croatia joined in on Abdic's side, threatening to reignite the wider war that has raged since Bosnia seceded from the former Yugoslav federation in 1992.

Smith's predecessor, Lieutenant-General Sir Michael Rose, had tried and failed to halt the war within a war in Bihac. UN officials had initially portrayed it as a localised conflict but are now concerned that the front lines are spreading.

"It's important to try to keep them on board and to try to keep the momentum going," UN spokesman Lieutenant Colonel Gary Coward said.

Shelling killed at least one civilian in Bihac on Saturday and two shells landed near the camp of a hapless unit of Bangladeshi peacekeepers.

UN spokesmen reported a lull yesterday, playing down local media reports, although one source said about 1000 Krajina Serbs were seen heading towards Bihac in a convoy of trucks and buses.

Pro-government Sarajevo Radio said, however, all fronts were active. Government troops were beating back attacks by Serb forces supported by helicopters and tanks, it said.

Tanjung, the Belgrade-based Yugoslav news agency, reported hand-to-hand combat in Velika Kladusa. It said many people had been killed or wounded on both sides.

The rebel Moslems and Krajina Serbs were not parties to the ceasefire, which was intended to pave the way for a Bosnian peace settlement under the so-called Contact Group plan drawn up by Britain, France, Germany, Russia and the United States.

The plan would divide Bosnia into two roughly equal parts. R

ANC women intent on quitting executive party positions despite Mandela's pleas

JOHANNESBURG (Reuters) - South African President Nelson Mandela failed yesterday to persuade 11 ANC members not to resign from the executive of the party's Women's League headed by his estranged wife Winnie.

He tried to resolve the controversy in four hours of talks with the 11 women. They announced they were quitting Saturday, citing bad leadership, undemocratic practices and unaccountability in the organization.

"We will not change our minds about the resignations," said Nosiviwe Mpsa-Nqakula who had been secretary-general of the African National Congress Women's League (ANCWL).

"We want the ANC to resolve the problems of the Women's League," she told reporters after meeting President Mandela.

The president said: "This is a matter that is entirely in the hands of the women's league. They are in firm control."

Mpsa-Nqakula said the president had promised to arrange a

meeting of the Women's League executive, which had 25 members before the resignations, and the ANC proper.

"He is seriously considering structures to finally resolve the problems in the ANC Women's League. We have finally got the ANC to intervene in the problems," she added.

Also in the 11-strong group were Adelaide Tambo, widow of ANC president Oliver Tambo who died in 1993, and Health Minister Nkosazana Zuma.

The meeting came after reports of a new controversy over Mrs Mandela's criticism of her husband's government.

Johannesburg's *Sunday Times* said South African Deputy President Thabo Mbeki had given her an ultimatum on Friday to retract critical statements or resign as deputy minister of arts and culture.

She criticised the government at a funeral last week, saying it had failed South Africans by not dealing with apartheid imbalances and removing racism.

President Mandela's spokesman, Parks Mankahlana, was unable to comment on the reports of an ultimatum.

"He was unhappy about certain remarks. The deputy president and the president are dealing with the matter. They will probably issue a statement early next week," Mankahlana said.

President Mandela had summoned all ANC cabinet ministers and deputy ministers to Pretoria last Thursday to discuss Mrs Mandela's comments, the *Sunday Times* said.

None of the 11 disaffected ANCWL leaders identified Mrs Mandela among their reasons for leaving.

Tambo said she resigned over a joint tourism venture between the league and actor Omar Sharif, launched last Thursday by Mrs Mandela without consulting the organization.

Mrs Mandela was unavailable for comment yesterday.

The league has considerable influence in the ANC.

Chechnya fighting eases as rebels regroup

MOSCOW (Reuters) - Russian forces fought isolated battles with separatist fighters in Chechnya yesterday as the rebels were reported to be regrouping outside Grozny and the conflict entered its third month.

The Russian press office made clear fighting had eased in the remote mountainous region at the weekend and that most of Grozny was under Russian control after the rebels abandoned their headquarters there last week.

But Russian officials, who

fear a long guerrilla war, said the campaign to bring Chechnya to heel was not over and the rebels were setting up "resistance centres" in the west and east of the region on Russia's southern rim.

"The situation in Grozny has shown no big changes in the last 24 hours and there have been no active military operations on the territory of Chechnya," it said. Tass news agency quoted the government's press centre as saying.

"It is virtually quiet in Grozny during the day but much more

dangerous at night when snipers appear," it said.

Azamat Nalgiyev, head of the government press service in the Ingushetia region which borders Chechnya, told Reuters by telephone there was still shooting in the Chernorechiye and Oktyabrsky districts of Grozny.

There was no immediate word of any fighting elsewhere in Chechnya, although battles were fought on Saturday at Argun, a town 15 km east of Grozny which media reports have suggested is the new rebel headquarters.

US strikes major blows against terrorism

NEW YORK (Reuters) - The US government has struck two major blows against terrorism with the capture of the alleged mastermind of the World Trade Center bombing and a guilty plea by a key defendant in the conspiracy case.

These developments - just a few weeks before the second anniversary of the fatal explosion - are expected to aid the government in its investigation and prosecution of those suspected of planning violence in this country.

It may have thwarted plots in other parts of the world. Prosecutors say the February 26, 1993, World Trade Center bombing, which killed six and injured more than 1,000, is the worst terrorist attack on US soil.

Last Tuesday, the alleged mastermind of the explosion Ramzi Ahmed Yousef, was captured in Pakistan. He was returned to the United States Wednesday to stand trial for the bombing. He is also a suspect in a plot to kill Pope John Paul II and in a December bombing attack on a Philippine airplane.

"This arrest is a major step forward in the fight against terrorism," President Bill Clinton said upon Yousef's return. "Terrorism will not pay. Terrorists will pay."

Just one day before Yousef's arrest, Siddiq Ibrahim Siddiq Ali, a central defendant in the broader bombing conspiracy case involving the trade centre blast, unexpectedly pleaded guilty in New York for his role in the alleged scheme.

Prosecutors allege that Siddiq Ali and 11 others - including the group's militant Islamic religious leader, Sheikh Omar Abdel-Rahman - planned to "wage a war of urban terrorism" in the United States that included the bombing of landmarks and tunnels in New York and assassinations of political leaders.

During his plea hearing, Siddiq Ali, who had been the cleric's confidant and translator, implicated all the other defendants and said that Abdel-Rahman had approved their plans.

Crime scene prepared for tour by Simpson jury

LOS ANGELES (AP) - Outside Nicole Brown Simpson's house, workers trimmed bushes and washed down sidewalks while neighbors cordoned off their lawns, preparing for jurors in the O.J. Simpson trial to visit.

Police officers stood by with megaphones warning dozens of gawkers to keep away from the condominium where Ms. Simpson and her friend Ronald Goldman were killed June 12.

Officers patrolling Bundy Drive said they're ready for the onslaught yesterday.

"We'll have lookie-loos all day long," said Officer Gary Sidell, shining his motorcycle.

Superior Court Judge Lance Ito will accompany jurors, lawyers and a heavily guarded Simpson for the tour of the murder scene, which will begin shortly after court convenes at 8:30 a.m.

They will visit Simpson's home, Goldman's apartment and Mezzaluna, the restaurant where Goldman was a waiter and Ms. Simpson dined the night they died. A small pool of reporters, a still photographer and one camera crew were to be allowed on the all-day tour, and were barred from Simpson's property.

Ito has restricted airspace to keep news helicopters from hovering overhead.

The tour, requested by the prosecution, could help jurors visualize the sequence of events as alleged by the opposing sides and let them test, for example, whether certain witnesses could have seen what they claim they saw.

Mexican gov't probed about guerrilla crackdown

SAN CRISTOBAL DE LAS CASAS (AP) - Rebel fighters withdrew into the jungle ahead of an army advance as more questions arose about the government's crackdown on guerrillas in southern Mexico.

Several of the 30 suspects of the Zapatista National Liberation Army arrested in the crackdown have denied links to the rebel organization. One said her statements to police had been falsified.

Guatemalan President Ramiro de Leon Carpio announced Saturday night that he had ordered his country's troops on alert "so that there is no crossing of our borders (by the rebels)."

In remarks broadcast by Mexico's Radio Red network, he said Guatemala's army was cooperating with that of Mexico.

Mexico's military continued to block journalists' access into former rebel strongholds in the southern state of Chiapas. Information was sketchy about what has happened since Thursday, when President Ernesto Zedillo ordered the arrests of Subcomandante Marcos and other rebel leaders, breaking a yearlong truce.

But reports from civilians fleeing the jungle area and from Associated Press reporters who flew over the area by plane indicated that troops appeared to be trying

to encircle the guerrilla territory in the Lacandon Jungle of southeastern Chiapas.

Troops were seen in San Quintin, about 24 km east of the former rebel stronghold of Guadalupe Tepeyac and 32 km north of the Guatemalan border. Soldiers were also pushing in from the west and north.

In Mexico City, several thousand people - many chanting "We are all Marcos" - marched to the city's main plaza to denounce the crackdown and express support for the Zapatistas.

The leader of Mexico's largest leftist party, former presidential candidate Cuauhtemoc Cardenas, warned the crowd that Zedillo's move "is going to spill the blood of many Mexicans" and cause political instability.

Reporters last saw Marcos early Thursday in Guadalupe Tepeyac in Chiapas, which was occupied by the army on Friday.

Troops entered rebel territory on Friday, and most of the rebels apparently slipped further back into the Lacandon Jungle without risking a fight.

Peace talks with the rebels had produced no agreement, and Zedillo is under pressure to take decisive action and rally Mexico's battered peso and stock market after heavy losses blamed in part on recent rebel activity.

ISRAEL LANDS ADMINISTRATION					
ISRAEL LANDS ADMINISTRATION Central Region		ARIM - MUNICIPAL DEVELOPMENT CO. LTD.		MIN. OF CONSTRUCTION AND HOUSING	
Build Your Home Scheme, Sucho (Bat Hefer) - (140 housing units)					
Seventy-nine plots for the construction of 79 single-family housing units are offered, and 61 plots for the construction of 61 semi-detached houses - total of 140 housing units.					
Fourteen of the plots are intended for the disabled, who do not own, and who have not been allocated a plot anywhere in Israel. The following criteria apply: Ex-IDF disabled persons with over 50% permanent disability; this disability must be attested by documentation, with validity of one year, issued by the Rehabilitation Branch of the Min. of Defense. Disabled persons not disabled during service in the IDF, and who suffer permanent disability of 75% in the lower limbs, as attested by valid documentation issued by the National Insurance Institute or the Min. of Health.					
Of the plots for the disabled, first priority will be given to IDF disabled with 100% or more disability.					
For 30 plots, first priority will be given to residents of the Emek Hefer Region, aged over 18, and who do not own a smallholding (mahale) and/or auxiliary smallholding (meshek ezer) and/or residential plot in a settlement in the area coming under Emek Hefer Regional Council. Such applicants must sign and submit the declaration attached to the explanatory sheet, and also submit a certified certificate issued by the Min. of the Interior/Population Registrar's Dept., confirming that they have resided in the said settlement, at least since February 16, 1992, and that they are still residing there.					
First priority in choice of plot will be given to the disabled.					
Registration will take place at the offices of Emek Hefer Regional Council, Tel. 08-8781652, where office hours are Sun., Mon., Wed., Thurs., 8:30 a.m. - 3:00 p.m.					
Registration will open at 9 a.m. on February 16, and close at 12 noon on March 12, 1995.					
A NIS5,000 bank guarantee or bank check, made out to the Israel Lands Administration, must be deposited on registering; this will be regarded as an advance on the cost of the land.					
The detailed explanatory sheet will be available free, from February 16, at the Emek Hefer Regional Council offices, at Arim, 21 Herzl, Rishon LeZion, and also at the I.L.A. 88 Derech Petah Tikva, Tel Aviv, during regular working hours.					
ISRAEL LANDS ADMINISTRATION Central Region		RISHON LEZION MUNICIPALITY		INDUSTRIAL BUILDINGS Co. Ltd.	
Lease offered on 2 plots for commercial construction, Het Quarter, Rishon LeZion - Invitation to Tender 19/95/Mem Rash Bids are invited from those interested in signing a 3 year development agreement, after which the party concerned will sign a 49 year lease with an option to extend for another 49 years, for land, the details of which are:					
Plot	Area, sq.m.	Total Area for Registration, sq.m.	Price, NIS†	Development Costs, NIS**	Deposit, NIS
265	7,008	1,752	6,274,841	1,504,751	650,000
266	7,011	1,753	6,274,841	1,504,751	650,000
* Urban Building Plan 58/1/Bat Mem/Rash Bids show that the plots are in Block 3946, Parcel 154, and that they are zoned for commercial construction. A single-story commercial building may be built on each plot, with a maximum height of up to 5 m., building percentage - 25. A basement may also be built, within the contour of the building.					
In addition to the amount paid for the land, the successful bidder will pay:					
A. To Industrial Buildings Co. Ltd. - the general development costs, these being linked to the index of building inputs to December 1994, (published on January 15, 1995 - 1,300). These costs will be paid on the basis of the figure given in the above table, and the last known index.					
B. To Rishon LeZion Municipality - the broad infrastructure costs, for infrastructure work carried out or to be carried out by the Municipality. These costs are linked to the weighted index of road construction and building for December 1994 (5680.99). These costs will be paid, by reference to the last known index figure. No tax receipt will be issued by the Municipality for this payment.					
The successful bidder will also pay Rishon LeZion Municipality NIS11.91 for every square meter of construction, (as indicated in the building license). This payment is linked to the weighted index of road construction and building for December 1994 (5680.99). No tax receipt will be issued by the Municipality for this payment.					
Sides may be submitted for one or both plots.					
† Not including VAT. ‡ Payable to Rishon LeZion Municipality.					
The Israel Lands Administration reserves the right to accept any bid or to reject all bids, including the highest.					
The tender booklet will be available from February 19, 1995, on submission of a receipt from the Postal Bank for NIS100 (cash only, including VAT), for a payment into Israel Lands Administration account 0-24180-0, per booklet. The booklets will be available at the Israel Lands Administration, Central Region, 88 Derech Petah Tikva, Tel Aviv, or 02-5536383, during regular working hours.					
A bank check or guarantee for the above deposit should be attached to bids. Last date for submitting bids: March 28, 1995 (12 noon). A bid not found in the tenders box when it is opened, whatever the reason, cannot be considered.					
Israel Lands Administration Central Region		Industrial Buildings Co. Ltd.		H.L.T. - NETANYA Development and Tourism Ltd.	
Lease offered on 7 plots for industrial construction, Birkat Haim Industrial Zone, Netanya					
Block	Part of Parcel	Plot	Approx. Area, sq.m.	Total Area for Registration, sq.m.	Development Costs, NIS
7940	115	5	6,506	7,807	2,530,111
5945	5	1	6,506	7,807	2,530,111
7934	90	5	6,506	7,807	2,530,111
7940	115	5	6,506	7,807	2,530,111
7945	5	3	6,506	7,807	2,530,111
7940	22	11	14,415	17,298	5,213,425
7940	115	13	14,415	17,298	5,213,425
7940	115	14	14,415	17,298	5,213,425
7940	115	15	14,415	17,298	5,213,425

L = linked, B = broad.
* Urban Building Plan 554/Nun Tav show that the plots are in an Industrial Alet zone, and that an industrial building of 3 floors or a height of 12 m. may be built. The building percentage is 40 per floor, total of 120%. A basement within the lines of the building may also be built.
Despite the details in the urban building plan, structures for various purposes, as listed in the urban building plan, may be built, except a filling station. The successful bidder may not make a claim against the Israel Lands Administration, because of this.
** In addition to the amount paid for the land, the successful bidder will pay:
A. To Industrial Buildings Co. Ltd. - the development costs, these being linked to the index of building inputs for December 1994. These costs will be paid on the basis of the figure given in the above table, and the last known index.
B. To H.L.T. - Netanya Development and Tourism Ltd. - the broad infrastructure costs, for infrastructure work carried out or to be carried out by H.L.T. These costs are linked to the weighted index of building inputs for November 1994. These costs will be paid, by reference to the last known index figure, and the figures given in the above table.
A high-voltage electricity line passes over the north-west corner of the area. This will be dismantled by the development company, in coordination with the Israel Electric Corporation.
Sides may be submitted for one or more plots.
† Not including VAT.
‡ Payable to Rishon LeZion Municipality.
The Israel Lands Administration reserves the right to accept any bid or to reject all bids, including the highest.
Bids will be regarded as final and unchangeable. A condition making the validity of the bid subject to the bid being awarded, or not being awarded, or any other plot will not be accepted. No order of preference for the award of plots will be accepted.
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Taiwan
Barenb
Lazz art

Taiwan Straits: The best musicians must go abroad

MICHAEL AJZENSTADT

THE gulf between mainland China and Taiwan is not limited to political and economic systems. The differences even extend to the classical music scene, according to Taiwanese conductor Shao-Chia Lu.

"China before the Cultural Revolution was more interesting and advanced musically speaking. As early as the beginning of the 20th century, many musicians traveled to Europe to study and returned with clear influences. There were, and still are, very good music schools in Beijing and Shanghai.

"The situation shifted after World War II when the Japanese left Taiwan," says the 35-year-old conductor, who is making his local debut this week with the Haifa Symphony Orchestra.

"Suddenly Taiwan became more Western-oriented while China became rather closed and Russian-oriented. The musicians there were receiving a Russian education. All their composers wrote big symphonies. But in the '60s and '70s the Taiwanese composers were studying in Paris and Germany and wrote like Western composers."

Lu goes on to note that the major gap between Taiwan and China these days is the result of the Cultural Revolution and the 10 years in which the Chinese did not play classical music at all.

"Taiwan was developing normally during these years and now the orchestra in Taiwan is even better than those in China. I can compare because I conduct all

these orchestras. The problem is that the good musicians in China all leave to Hong Kong or Singapore or the West, and those who remain are not as good."

Lu, an expatriate himself, is about to move from Vienna, where he has been living for the past eight years, to Berlin, where he has just been appointed the first conductor in the Komische Oper.

He made his debut with the company last year in Puccini's *La Bohème* and begins his official post leading a production of Massenet's *Werther* in a few months.

"It's a very famous house with a tradition going back to [Walter] Felsenstein. Today the company has its own ensemble. It's not a la

carte opera. The singers all stay there and rehearse a lot. It's not like a train station but rather the way opera should be done."

Lu began studying the piano in his native Taipei at the age of six. But when the time came to get serious he opted to study psychology at the local university, where he obtained a degree.

The music muse, however, did not let go. So he asked for advice from Chin-Sen Chen who was his music teacher and conductor of the Taipei Symphony Orchestra.

"I never intended to be a professional musician but became more and more involved in music and, because of my teacher, I eventually became a conductor. I

didn't want to be a soloist and he told me to come and try conducting. I took one lesson and I decided to go for it."

Lu assisted Chen on a production of Verdi's *Rigoletto* in Taiwan in 1987 and has since conducted many of the big Italian operas there.

Studying music in Taipei, he recalls, was quite normal. "Western music is very familiar to the upper classes in Taiwan. And it is very common learning to play the piano. My parents are not musicians but they love music and all of us grew up in a musical environment. I was very imbued with Mozart and Beethoven in my childhood. But eventually we all

leave to study abroad."

Lu himself left to study in Vienna, during which time he won two major conducting competitions. But he has very little good to say about such events.

"Competitions are a very painful experience. I was lucky, but nowadays there are so many and they are less effective. Yes, they do help you if you win, but there is only one winner, and it doesn't help as much as before."

He also has his doubts about how winners are chosen. "You can always tell if someone is good or bad, but beyond some level it's a question of taste. I feel very sad for those who get the second or third prizes."

Being a competition-winner isn't even good advertising, says

Lu. "Saying you won prizes - musically it doesn't make a good impression. It just means that you are a showman or work very quickly and learn quickly."

Lu still enjoys the traveling his career calls for. "My wife comes with me most of the time - she's a Taiwanese composer." The two met in Vienna. "She is younger than me but was in Vienna first."

Neither seems to miss living in their native country. "The world is very small and we can fly back all the time, although now, with my new position, I will have less time to go back to Taiwan."

Lu leads the HSO in a program of music by Mendelssohn, Tchaikovsky and Nielsen tonight, Wednesday and Thursday at the Haifa Auditorium.

Tasteless serving of ham on wry

FILM REVIEW
ADINA HOFFMAN

WIDOWS' PEAK

Directed by John Irvin. Screenplay by Hugh Leonard. Hebrew title: *Givat Ha-dodot*. 110 minutes. English dialogue, Hebrew subtitles. Parental guidance suggested.

Mia Farrow..... Mia Farrow
Mrs. Doyle Counihan Joan Plowright
Edwina Broome Natasha Richardson
Godfrey..... Adrian Dunbar

The festive jig music never lets up for long in John Irvin's *Widows' Peak*, an occasionally amusing, ultimately trying exercise in gratuitous Irish whimsy.

The movie's overemphatic charm announces itself in the title. Here, *Widows' Peak* is not a haardo, but an exclusive section of the village Kiltannon in the late 1920s.

This picturesque cluster of clapboard houses is populated entirely by women who seem much better off, both financially, and emotionally, now that their husbands are dead.

Among the gleefully bereaved residents are the formidable Mrs. Doyle Counihan (Joan Plowright), who dominates the hilltop like Big Bird in black crepe. When she is not hosting tea parties or spying on her neighbors through a telescope, Mrs. Doyle Counihan enjoys brooding over her slow son, Godfrey (Adrian Dunbar). His dubious masculinity makes him an ideal attendant for the man-hating dowager.

Miss O'Hare (Mia Farrow), meanwhile, is a wan little earth-mother who moons around town



Joan Plowright plays the formidable dowager Mrs. Doyle Counihan, who dominates an Irish village's hilltop like Big Bird in black crepe.

in a baggy, flowered smock and whose face freezes in an oddly pained expression whenever she tends to the prize-winning roses in her garden.

Early on, we are told that Miss O'Hare has a secret, and though the particulars of her history are not stated for some time, we can pretty well guess. Her expressions combine enough telling contradictions - between fragility and nerve, softness and cruelty - to suggest that this apparent do-gooder has something wicked up the sleeve of her dingy calico dress.

But this is precisely what's so irritating about *Widows' Peak*: we're perfectly aware from the outset that things are not what they seem. That's how they seem.

With so much winking, rib-poking and wild arm-flapping on scriptwriter Hugh Leonard's part, we must consciously work to maintain our ignorance of the "surprises" to come.

For example, when a stylish young woman with the wily name of Edwina Broome (Natasha Richardson) scoots into Kiltannon and starts making eyes at Godfrey and enemies with Miss O'Hare, we are relatively certain that she is not the innocent war widow she claims to be. With her brash American manner and fool's-gold smile, Edwina offers far too hammy an account of life with her dear departed husband, her recent sojourn on the Riviera, her desire to settle down. Clearly, she is making-believe, and clearly we are meant to see so, to feel ourselves in cahoots.

It's mighty hard, though, to identify with the characters or to appreciate their psychological quirks when they are relegated to the tired comic roles assigned by director John Irvin. In each screwball instance, someone is the meanie and someone is the butt. What's worse, we feel each joke coming a few minutes ahead, and by the time it does hit, it splats. Perhaps you do have to be British to appreciate this particular blend of mannered witicism and physical humiliation. (Masterpiece Theatre meets Benny Hill.)

I'm not, so the scenes of teeth being pulled without anesthesia

by a drunken dentist didn't strike me as especially funny. Neither did Godfrey's mortifying failure to change a car tire or the fact that every female motorist in the movie is a genuine public menace.

There is something basically mean about a film in which all the women are back-stabbing shrews and the men are terrified twits.

And of the many back-stabbing shrews in the film, Mia Farrow - oops, I mean Miss O'Hare - is surely the most unsettling.

Could it possibly be a coincidence that *Widows' Peak*, Mia's first film post-Woody, focuses on the simple pleasures of burying one's spouse? Is it an accident that all the men in the movie are stuttering, anxious wimps? And

what about the paranoiac whine that Miss O'Hare uses to accuse Edwina of conspiring against her? This is not, mind you, a simple matter of overlapping subject matter; it's a proximity of tone that eerily connects Farrow's personal scandal to her character's.

What's weirder still, the filmmakers seem rather pleased with this correspondence to real life. During the last full minute of *Widows' Peak*, the camera remains fixed on Farrow's impassive face.

I'm not sure what's meant by her defiant jaw or the unnatural length of this tight close-up, but I do know that it left me with a regular *Rosemary's Baby* case of the heebie-jeebies.

Beasties rap it up

DAVID BRINN

Is this really the right kind of work for three nice Jewish boys?

The Beastie Boys, the world's most popular white rock/rap band, are coming to Israel for two shows next month. They will appear at the Loft Hangar at Jaffa Port on March 13 and 14.

Formed as a punk rock group in 1981 (at the 17th birthday party for bass player Adam Yauch) the Beastie Boys from the start combined *Animal House* gross-out humor with rap and punk rhythms, to create an irreverent style in which nothing is sacred, except fun.

Yauch and his bandmates Adrock (Adam Horowitz) and MikeD (Mike Diamond) released their landmark record *Licensed to Ill* in 1984, which contained the anthem of the '80s "Fight for your Right to Party." It became the first rap record to reach the top of the American album charts.

The Boys stepped out of the spotlight for the next few years, taking up acting and production projects. They returned with a vengeance in 1989 with *Paul's Boutique*, called by critics the "Sergeant Pepper of rap." Their latest release, *Ill Communication*, received accolades, and one of its songs, "Sabotage," dominated last year's MTV Video Awards.

Known for their energetic performances, the Beastie Boys may be worth checking out, if only to experience the evolution of rock to rap.

FOR SOMETHING completely different, try heavy metal warrior Megadeth, who will be appearing at Tel Aviv's Cinemas on April 27 and 28. Led by charismatic Dave Mustaine, the American band offsets its deafening roar with some interesting lyrics. Most entertaining are their album titles, including 1986's *Peace Sells... But Who's Buying?*, 1988's *So Far, So Good, So What* and 1990's *Rust in Peace*. Definitely not for the faint of heart.

Jazz artist swings low

HELEN KAYE

When Marlene Rosenberg switched from a high-reed to a low-string instrument she wasn't being fickle. She was being eminently practical.

"It'd let me play more," says the American jazz musician of her decision to move from the clarinet - which, despite its jazz pedigree, is rarely used in jazz today - to the bass.

The move paid off: In 1986, just five years after she had graduated from the University of Illinois with a BA in jazz bass and composition, Rosenberg got her first big gig playing with Stan Getz.

A year later, saxophonist Joe Henderson invited her to join his band. She spent two years with him on the road and says that "getting to play with him was like a dream come true." She also worked with singer Joe Williams and drummer Ed Thigpen.

On February 23, Rosenberg will be playing at the Tel Aviv Museum, the fourth artist of the "Women in Jazz" series. She'll have Iris Portugali on drums and series artistic director Dani Gottfried on the piano.

"She's a real up-and-comer, who plays very well and in many different styles," Gottfried says. "I like to be flexible," says Rosenberg, in a phone interview from the Chicago home she shares with husband Ed Sher-

man. She can go from bebop to rhythm and blues, incorporating ethnic musical influences along the way.

"Besides," she adds, "I have to be responsive to the people I'm playing with, because everybody plays differently and you have to adapt."

This is Rosenberg's first visit here. She has no family here, "but Ed does, near Tel Aviv and in kibbutzim around the country. We're going to stay 10 days and tour and explore the country. It was too good an opportunity to pass up."

Rosenberg, 34, was born in New Jersey but the family moved to Illinois soon after. She started her classical clarinet lessons at age 10 and pretty soon was jamming along with jazz on the radio.

From there, it was a straight road to her high-school jazz band - that's when she switched to bass guitar - and then to university, where she included composition and ethnic music in her study program.

"I'm more familiar with African than with Israeli music," she says, "but I have heard some and I hope to hear more [in Israel]. I grew up with Jewish music."

Last summer, Rosenberg made her first CD called *Wainee*, which jazz music critic Kevin Whitehead, writing in *CD Review*, called "that jazz rarity, an



Bassist Marlene Rosenberg is featured in the "Women in Jazz" series.

artistically sound crossover bid." She'll be playing some of her compositions from that track at her concert here. She characterizes them as progressive jazz, or more in the style of rhythm and blues.

She's already working on her next CD "which will be more straight-ahead jazz. That's jazz which integrates different styles, from bebop to Miles Davis and the '60s," she says.

And as for the eternal question about being a woman in a male-dominated world, Rosenberg repeats what she has said in many other interviews: "Once you've proved you can play, it's OK."

Zimmermann: He's mad about his Strad

MICHAEL AJZENSTADT

ASK most six year-old-boys what they'd like to be when they grow up and answers like "fireman" or "football player" are likely to top the list.

Not Frank Peter Zimmermann, who during his first year in school wrote in his notebook: "I want to be a world-famous violinist."

At age 30, he has fulfilled that goal.

His very busy schedule, including a recording contract with EMI, has him booked through 1997 and twice prevented him from coming here at the invitation of the Israel Philharmonic Orchestra.

"They always remembered to ask me too late," he says.

This week he will make his local debut performing the Brahms violin concerto with the Jerusalem Symphony Orchestra.

It didn't hurt that conductor David Shallon is a close friend. "We played together several times in Germany, and we said more than two years ago, 'Let's find a date and do something in Israel. My schedule was already full then, yet we found these few days and booked them at once.'"

Despite his early start, Zimmermann never thought of himself as a child prodigy. Granted, he did begin studying the violin with his mother at age five and five years later made his official public debut playing none other than the Mozart K.216 violin concerto.

But it was all fun at the time, because nothing was forced upon him, he recalls in a phone interview from his home in Germany.

"My father was a cellist and my mother a violinist," he says. "We were quite a musical family, and I always saw them playing chamber music together. It was obvious for me that I would play as well."

He had his eyes fixed on the

violin from a very early age.

"I only wanted to play the violin," he says. "I felt I could express most with this instrument, so I started with my mother. It was hard work and a lot of luck."

The Brahms he will play with the JSO is an excellent vehicle to present oneself in a new place, Zimmermann argues.

"The Brahms is a piece you'll never get bored with... The music of Brahms is so pure and really going from his heart to everybody's heart, and to play it is a soloist you are a kind of servant trying to bring this classical music to the heart of each person in the audience," he says.

"I just recorded it with Sawalich and the Berlin Philharmonic, and I'm looking forward to playing it in Jerusalem."

Zimmermann also likes playing each of the 30-odd concerti he has in his repertoire. And he never shies away from contemporary music. "I'll do everything to play contemporary music if I like it. But these days there are not that many first-rate new pieces written."

The Brahms will be played on a 1706 Domenico Dragonetti Stradivarius, of which Zimmermann is very proud.

"It was given to me through a sponsorship deal on a loan," he says. "It's the only way to play them because you simply can't afford to own them. I've had it now for 10 years."

Zimmermann lives in Cologne with his wife and four-year-old son. "I need a place to get back into balance," he says.

He met his Korean violinist wife in Cologne. "She came here to study when she was 14 and later became a member of the opera orchestra. I once played a concert with them and that is how we met."

Zimmermann plays around 100

concerts each year, which he says is a little bit too much. As a result, he doesn't teach.

"Maybe in 10 years I will start to teach but at the moment it is the right time to concentrate on myself and on my family. The teaching can wait."

Zimmermann plays the JSO under Shallon Wednesday and Thursday at the Henry Crown Symphony Hall in Jerusalem (8 p.m.).

The program also features Ben Zion Orgad's *Building a King's Stage* and Richard Strauss's *Tod und Verklärung*.

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Barenboim plans a one-off piano recital

DANIEL Barenboim, the artistic and music director of both the Chicago Symphony Orchestra and the Deutsche Staatsoper of (East) Berlin has very little time to play the piano these days. But at the end of the month he's hopping over here for a short visit, and to

perform a rare one-time recital, on February 28, at the Mann Auditorium in Tel Aviv.

The all-Beethoven program comprises the Waldstein Sonata and the sonatas Op. 10 No. 3 and Op. 111. Tickets are already on sale and are bound to disappear very quickly.

This fall, Barenboim returns with his German opera house, which will perform a fully staged production of Beethoven's *Fidelio* and his Ninth Symphony.

The event will be among those opening the "Jerusalem 3000" celebrations.

Michael Ajzenstadt

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Remembering the facts

As the politically-correct squirm and gyrate in search of an "attitude" to the 50th anniversary of the Dresden bombing, a simple blunt thought should predominate: If you don't want your cities flattened, don't surrender your country to an Adolf Hitler.

The anniversary has dragged out the usual motley collection of breast-beaters and "atrocity equalizers." German police on Saturday arrested neo-Nazi leader Guenter Deckert and nine of his associates as they headed for the city to organize a neo-Nazi demonstration protesting the allied "genocide." But the weekend funeral of four innocent Gypsies murdered by Austrian neo-Nazi racists proved a more apt reminder of what these people stand for than any demonstration in Dresden.

There is a mistaken belief that those who see the bombing of Dresden as a necessary evil have a callous disregard for those who died there. The very fact that European democrats feel pangs of guilt about it is a sure sign that such people are motivated by humanity. Yet, for 50 years World War II has been universally accepted as the ultimate in just wars, despite the appalling casualties. Any attempt to equalize responsibility for those casualties is to question the whole basis of the right to fight against the worst of evils. In decent people, there is always a difficult decision to be made at where to draw the line, where to say "I must put aside my revulsion at killing other human beings because, if I don't, those of us who will not be killed will live for ever in slavery."

The myth perpetrated by the apologists for Dresden is that it was an act of revenge, a sadistic piece of allied terrorism against a city of no strategic value. The worst of the revisionists - who have surfaced again - try to compare Auschwitz and Dresden as slaughters of the innocent. There must be no compromise on this issue, no guilt-induced backtracking. Hitler wanted total war to make the entire globe a German slave colony - eventually to be totally "cleansed" of anyone who failed to fit his paranoid Aryan image. Total war was what he got, and Dresden was part of it.

There are plain lies too - "the war was over, Dresden was of no importance." The war was not over. After the raid, it was a month before American forces reached the Rhine, hundreds of thousands died in the death camps and on

forced marches, the allies lost thousands of soldiers and hundreds of aircraft. Dresden, with its extensive roads, rails and waterways was a vital supply center for the German front lines only 100 kilometers away. It manufactured tanks, ammunition, electrical and radio equipment, precision tools, optical instruments and turbine blades for the world's first jet fighter, the ME-262.

At the Nuremberg trials, Herman Goering said the dreadful pre-war destruction of Guernica in Spain, immortalized by Picasso, was an experiment in urban destruction and a test of the Luftwaffe's new aircraft. It was followed by the terror-bombing of Warsaw in independent Poland and the flattening of Rotterdam in blameless Netherlands. After the war, Albert Speer, Reich Minister for Armaments and Production, recounted in his memoirs how Hitler was consumed with excitement as he anticipated the "total destruction of London." Apart from the London Blitz, the destruction of Coventry was one of the greatest horrors the British suffered for their refusal to bow the knee to the Nazis. Not to be forgotten, however, is the vicious German bombing of some of those sleepy, unstrategic, historic towns they love so well - like Bath, York and Canterbury.

The British never voted for Hitler. A majority of German voters enthusiastically trooped to Hitler's swastika flags. In the 1932 elections, the Nazis won 230 seats to become the dominant party in the Reichstag and remained unchallenged in 1933 elections. The majority wildly cheered every rape across every border of Europe's free states. Eight years after the Guernica "experiment," Hitler's research into firebombing - and with Europe in ruins and tens of millions already dead, the bomb-laden chickens came home to roost over Dresden. And suddenly, the Germans cried "fool."

There is no need for anyone to hide behind a newspaper euphemism like "the Germans destroyed Dresden." They didn't. British and American bomber crews did, and those who ordered them into action were perfectly justified in doing so. But neither should Dresdeners forget that had there been no Nazi victory in Germany, their city and people would have remained untouched. Winston Churchill would have had no more inclination to destroy any German city than John Major has today.



Behind the symbolism

THE personality of a foreign minister is usually considered an indicator of a country's foreign policy.

This was the case in Israel in 1955, when Golda Meir replaced Moshe Sharett. Likewise, Moshe Dayan's surprise appointment by Menachem Begin in 1977 was an early indication of the course he intended to pursue.

When Stalin sought rapprochement with Nazi Germany in 1939, he replaced his "pro-Western" Commissar for Foreign Affairs Maxim Litvinov (alias Meir Moisevitich Wallach) with Vyacheslav Mikhailovich Molotov, who in August 1939 signed the infamous nonaggression pact with Germany's Ribbentrop.

In Egypt for the past decade or so, first Esmat Abdel Meguid and then Amr Moussa have served as clear signposts of President Mubarak's general course vis-à-vis Israel. Long before becoming foreign ministers, both were known as skeptics, if not outright opponents, of the Israel-Egypt peace process.

In December 1977 in Ismailiya, it was Abdel Meguid - at that time Egypt's ambassador to the UN - who thwarted a deal between Begin and Anwar Sadat which, in essence, was then concluded after many ups and downs at Camp David some nine months later. (Significantly, Abdel Meguid was absent from Camp David.)

Even after the conclusion of the Israel-Egypt peace treaty in March 1979, Abdel Meguid continued to keep his distance from Israel and Israelis. On occasion, together with his deputy Amr Moussa, he would descend to the

YEHUDA Z. BLUM

level of personal discourtesy, to the consternation of incredulous Western diplomats.

In private conversation with Israeli colleagues, Egyptian diplomats described Abdel Meguid and Moussa as "rejectionists" with regard to Israel.

When Abdel Meguid was appointed secretary-general of the

Those who wish to know Egypt's real policy toward Israel should look at the men who shape it

Arab League, he showed his true colors by returning, unopened, a congratulatory letter sent to him by then foreign minister David Levy.

Amr Moussa's anti-Israel activities - his insulting "nonvisit" to Yad Vashem last fall, his vigorous campaign against Israel on the nuclear non-proliferation issue, and his efforts to get African and Gulf states to halt or at least slow down establishing ties with Israel, should come as no surprise.

This latter initiative is certainly curious, for over the years Egypt has presented itself to Israel and the US - quite plausibly - as a bridge between Israel and the Arab-African world.

BUT EVEN those familiar with Moussa's outlook must have not-

ed with some astonishment his most recent discovery (revealed to *The New York Times*) that the blame for the recent spate of terrorist atrocities against Israel lay... with Israel, because of the delay in the conclusion of the Israel-PLO interim agreement.

It apparently hasn't occurred to Moussa that Gaza (and to a lesser extent Jericho), turned since last May into safe havens for Palestinian terrorism, must make Israel extremely wary of exposing its major population centers - and the whole country - to terrorists operating with impunity from these places bordering on its population centers.

Is Moussa equally unaware of domestic terrorism in Egypt?

Unfortunately, he isn't alone in his insensitivity toward Israel. His close rival is Osama El-Baz, a central Egyptian foreign policy maker believed to be much closer to Mubarak than Moussa himself. A member of Sadat's entourage, El-Baz was known as a staunch member of the "rejectionist" camp. However, his influence has grown considerably under Mubarak.

As long as Moussa and El-Baz occupy center stage in Egyptian foreign policy, this must serve to indicate a continuing course of "containing" Israel and "reducing Israel to its natural size" - even though for tactical reasons it may occasionally be concealed by moves that are largely symbolic or cosmetic, and by media extravaganzas.

The writer, a former ambassador to the UN, holds the Hersch Lauterpacht chair of international law at the Hebrew University.

With Shas outside

SUSAN HATTIS ROLEF

AFTER over 16 months of sitting on the fence, Shas has decided to remain outside the coalition. This provides those struggling for basic human rights and equality for women with a unique opportunity to get some vital legislation through the Knesset.

For the first time since a brief period in mid-1974, we have a government in which no religious party is a member, and which is thus free of formal obligation to any religious party.

MK Eliezer Zandberg has already announced that where human rights and preventing religious coercion are concerned, the Labor-Meretz-Yi'ud coalition can rely on Tsomet's full cooperation and support. And it is hard to imagine MKs like Dan Meridor, Limor Livnat and Naomi Blumenthal refusing to join initiatives on these issues.

Even without the support of Hadash and the Arab Democratic Party, at least 70 (and probably more) MKs favor the continued legislation of Israel's basic laws on human rights and a change in the religious status quo which, inter alia, today enables hun-

It's Labor's chance to show some backbone and push human rights legislation through

reds of Jewish men to take a second wife while married to the first one, while thousands of Jewish women are forced to remain alone or live in (halachic) sin because their husbands have refused to give them a divorce.

It is also about time that the religious parties, such great experts at having their cake and eating it, were made to realize that there are limits to what the secular population will tolerate.

No one had previously gone as far as Labor in the recent coalition agreement it signed with Shas. It agreed that new legislation would be introduced to circumvent High Court rulings that impinged on the religious status quo. Many, including Minister of Justice David Libai, believed Labor had gone too far in its concessions.

And yet, it was all in vain. When Prime Minister Rabin finally gave Shas an ultimatum, Shas blamed him for forcing its hand, even though two central government ministries had gone unmaneuvered for 16 months, enabling Shas to continue influencing their policies.

RABIN WAS more than patient with Shas, which for its part seemed unable to reach an (admittedly difficult) decision.

A party like Shas cannot thrive in the opposition. But that is, de facto, where it today is - and this is Labor's opportunity to show it has backbone.

It should use the opportunity to prove that it doesn't just stand behind those parts of its platform dealing with the peace process (i.e. territorial compromise on all fronts) or diverting the focus of construction and industrial development from Judea and Samaria to Galilee and the Negev, but also behind separating religion and politics (Avraham Burg's famous amendment of November 1991), human rights and the status of women.

Labor won't manage to reverse the trend in public opinion - which is currently going against it - by trying to appease those in the opposition whose policies, beliefs and aspirations are diametrically opposed to its own.

But it might be more successful by using the 21 months until the elections to take decisive action in furthering its own policies, beliefs and aspirations.

With a blocking majority which now numbers 63 MKs and a little more discipline within its own ranks, the current coalition ought to be able to bring about some major constitutional changes.

But this requires a leadership with courage - the sort of courage Rabin and Shimon Peres showed when they signed the agreement with the PLO, but failed to display when it came to implementing vital reforms in the Histadrut while Labor was still in control and taxing stock market profits.

The writer is a political scientist.

LETTERS TO THE EDITOR

TOURIST'S VIEW

Sir, - I am writing to you as a recent tourist and first-time visitor to Israel from the US. First let me say that I loved your country! I would be happy to live in Israel. I was very impressed with the beauty and the history of the country and with the general safety I felt. Even with the concern about terrorism, Jerusalem seemed a lot safer than New York or most major American cities at night, especially for women.

While in Israel I met and discussed the political situation regarding the Jewish-Muslim problems with both Jews and Muslims. Everyone was in agreement that "the handshake" was important and a great benefit to all, but how to put the good intentions into practice was still an area of great confusion.

First let me say to the Israeli government: When I was in boot camp in the US Marine Corps and one person messed up, the entire platoon was punished. This did not impress me with either the intelligence of that approach or with its effectiveness in preventing future mistakes. The only lesson was "We have power over you and we will use it arbitrarily because we have the power." The result was to create a contained fury which helped make effective soldiers. I believe that is exactly the same foolish set of messages you send to the Muslim community when you punish all Muslims for the acts of a few. In fact you generate sympathy for the terrorists who are seen, by them, as striking a blow against the tyrannical extortion of power against a helpless and generally innocent population. When a government policy perpetuates, aggravates and inflates a problem it was trying to end, then it is a colossal failure.

I believe that you can only break the chain of violence and retribution by taking the higher road of non-violence practiced so effectively by Rev. Dr. Martin Luther King in the US. The recent bombing in Netanya proves again that Israel is at war, but the war you must fight now is the war of peace. You will still lose soldiers just as Martin Luther King himself was a victim, but in the end his movement was triumphant and so shall you be if you do not lose heart in the war of peace.

To the Muslim shopkeepers I met, let me say this. Yes, the sanctions imposed by the government are unfair, and yes, you are suffering when the tourists are not allowed to

enter Jericho or are told by their guides it would not be wise to enter the Arab quarter. On the other hand, do the rock throwers help you or hurt you? Do the young men who prey on the tourists by picking pockets and stealing purses help you or hurt you? You also must give peace a chance.

Both sides would really benefit from the Christian admonition to turn the other cheek. Breaking the chain of violence and retribution is like losing weight or quitting smoking cigarettes: the only way to do it is to do it. Let each one decide "It has to start with me."

REV. TIM EHRLICH,
United Methodist Pastor
Gouldsboro, Pennsylvania

SHAME!

Sir, - I refer to Batsheva Tsar's article of February 5, "Protest rejected against nude photos at Yad Vashem." These photos depict Jews being led to slaughter, nothing more. I am very familiar with the photos in question, viewing them each time I take a foreign visitor to Yad Vashem, and each time I see them, I am revolted and nauseated by the cruelty of man to man.

The large question is not that of the nakedness of the women shown, but how any individual can view these photographs and extract for himself one iota of prurient excitement, overriding the revulsion which he, as a fellow Jew, must feel for the torture these souls were experiencing.

The evidence of the Nazi atrocities, documented by the Nazis themselves in these photographs, must continue to be proclaimed to the world. ALFRED J. LAND
Upper Nazareth

Sir, - We were naked when selections took place in Auschwitz; our parents and our children were naked before they were gassed. There is no shame to our nakedness. The world should be ashamed as it stood silently by as we were being killed, naked.

Should this nakedness trouble some people, I suggest they lower their eyes in humility in front of these historic photos, that suddenly seem to be a reason for their concern. In these very troubled days, when we fight again for our existence, their energies should be turned to issues vital for our survival. HANA GREENFIELD
Tel Aviv

MAGINOT LINE MENTALITY

Sir, - Yitzhak Rabin is consistent: he does not learn from his mistakes. As minister of defense in Shamir's government, he orchestrated the release of thousands of dangerous criminals into Israel, he underestimated the strength of the intifada activists, and contrived an erratic and confused policy to combat terrorism. In order to prevent stone-throwing along the roads, he built fences which accomplished nothing.

Now he wants to build more fences, this time around us. His solution seems to be "when in danger, fence it off." His Maginot Line thinking is a proven failure against a determined enemy. Fences aren't defenses!

The policy of "separation" is not only impractical, it undermines the very goals that the peace process is supposed to achieve: coexistence. If that isn't feasible, then what's the peace process about? "Separation" means creating a PLO state and transferring Jews.

When Rabin says that "the road to peace will be bloody," he means that we can expect more terror attacks. He has admitted that he is helpless. What a pathetic excuse for leadership!

MOSHE DANN
Jerusalem

THE DEMOGRAPHIC PROBLEM

Sir, - I am writing with reference to your editorial of January 22, "The real demographic problem." Whilst we must all share your concern and fears regarding the growth of the Arab population in Judea, Samaria and Gaza, this does not, in my opinion, invalidate the argument that it is one thing to rule over 800,000 Arabs in Israel: it is quite another to have an additional 1.5 million Arabs or more under Israeli rule, thus actually creating the possibility that one day Jews may lose their majority in the country.

Pointing out potential dangers in an editorial is, in my opinion, justified, but why not let it stop there? Trying to discredit perfectly valid arguments will only serve to send to your readers the message that you are scaremongers for political reasons.

VICTOR BLOOME
Amiad

Stuck at the Erez roadblock

PERHAPS Yasser Arafat and Yitzhak Rabin should change the venue of their meetings which are supposed to advance the stalled negotiations for the next stage of the Israeli-Palestinian peace process. Erez is not only a "checkpoint" but also a "roadblock," a term which doesn't augur well for the blocked negotiations.

Even if the last meeting between Rabin and Arafat included a free and frank exchange of views, it is not such honesty that will bring progress and agreement.

As Israel has the upper hand in the negotiations, Rabin was able to make the end of the closure of the territories conditional on concrete results in the Palestinian Authority's campaign against the military branches of Hamas and Islamic Jihad.

However, the rewards Rabin is willing to offer in return for repression of these groups do not make it worthwhile for Arafat.

The lifting of the closure and perhaps the release of more prisoners do not balance the political strife and division among the Palestinians that is entailed by Israeli demands. Moreover, these demands come close on the heels of an Israeli government decision to continue settlement in the territories and in East Jerusalem.

This decision confirmed the arguments of opponents of the Oslo accord that its terms permit further settlement and Israeli control over huge tracts of state land. Apart from the economic hardship caused by the closure and

JON SIMONS

cynicism about a peace process during which land is pulled out from under their feet, Palestinians have been complaining in growing numbers since the Oslo accord of human rights abuses and bureaucratic harassments ranging from disappearances of

It's time for a great leap forward into a permanent peace agreement

people to refused requests for travel permits.

AT THE SAME time as the prevailing view of the peace process on the Palestinian side grows increasingly negative, the same is happening on the Israeli side.

The principle underlying the Oslo accord was that of peace by stages, which was needed to build Israelis' confidence that their security was not being endangered. Ambitious, large-scale violent attacks on Israelis thus became the most effective way for the hard-core Palestinian opponents of compromise to sabotage the process.

Disillusionment with the process fuels Palestinian enthusiasm for continuation of the armed struggle against the occupiers, which makes repression of the

armed groups even less attractive politically for Arafat. In turn, his reluctance further incites Israeli critics.

The Israeli-Palestinian talks are now blocked at Erez, with decreasing public support for the current process on both sides.

Very soon a point may come when even agreement about the withdrawal of Israeli troops from Palestinian cities and elections for the Palestinian Authority, together with visible measures taken against terror groups by the PA, wouldn't do very much to restore mutual confidence.

The time has therefore come to abandon the strategy of peace by stages and aim instead for a permanent agreement. Instead of difficult decisions about Jerusalem, settlements and Palestinian statehood being postponed until later, the process has been hampered by these issues, which hover over it like a black cloud.

Instead of discussing these crucial issues, the talks have become bogged down in peripheral matters such as whether residents of East Jerusalem are eligible candidates for Palestinian elections. These, nonetheless, have repercussions for the final agreement.

If this is the peace of the brave, why are its architects so afraid to tackle the key problems? At present, Israelis and Palestinians are stuck at the Erez roadblock. It is time for a great leap forward, over the roadblock and into a permanent peace agreement.

The writer teaches political science at the Hebrew University.

Martial Arts

This Is a Trade War! Get Your Popgun!

By DAVID E. SANGER

AS trade wars go, the one that started between the United States and China last week in Washington — and that may well end in truce or treaty later this month in Beijing — is a classic of the art form.

Both sides claim their national sovereignty and economic livelihoods are at stake, so they threaten each other with billions in sanctions and counter-sanctions. Both grab big headlines from Silicon Valley to Shanghai. And both quietly abide by the Geneva Convention of Economic Conflict: Never aim for the vital organs.

The battle between China and the United States these days is ostensibly over the protection of copyrights and patents, bringing an end to the rampant copying of Whitney Houston CD's, Microsoft software, Kellogg's Corn Flakes and Gillette razor blades. But it is really a fight about which country is more important to the other. That is a particularly difficult question for Washington in an era of post-cold war economic competition, in which yesterday's counterweight to the Soviets is today's software pirate and tomorrow's Great Emerging Market. The result is a dizzying set of signals from both sides: Don't mess with me, I don't need you, my current-account balance can't live without you.

Stop It. Pretty Please?

In the past week alone, all of those messages have raced across the Pacific at a furious pace. The initial sanctions announced by the United States looked tough at first blush, but they excluded American sanctions on electronic components, toys and other items American industry and retailers cannot live without. The Chinese excluded airplanes, which accounted for roughly \$2 billion of America's exports to China last year. This may be trade war, but there is no sense dampening profits at the

giant McDonnell Douglas aircraft factory in Shanghai, where China is learning the magic of how to build airframes.

And while China may need access to the American market today far more than American firms need to be in China, no one doubts that the equation will change dramatically in a decade or so. Like Mexico (at least the Mexico of two months ago), China is the key to President Clinton's strategy of creating millions of American jobs by exporting like mad to the world's fastest-growing corners.

That may explain why, over seven days, Washington threatened to cripple Chinese exports unless it cleaned up its act, then sold China a million tons of wheat at below-market prices and prepared Energy Secretary Hazel O'Leary and two dozen business executives for a trip this month to ask if the Chinese might be interested in buying \$8 billion in power-generating equipment.

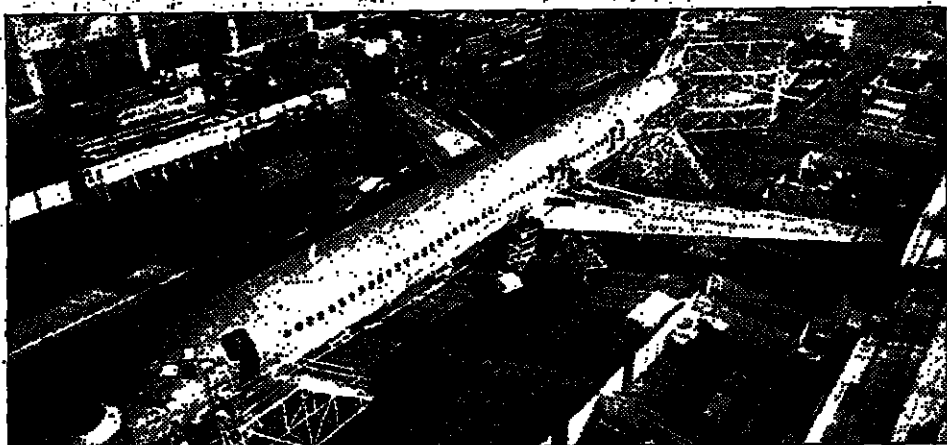
And by the way, Ms. O'Leary's well-balanced brief reads, would it be too much trouble if we asked you to stop selling missile parts to Iran and Pakistan?

"This is the proof that the days of gunboat diplomacy are over, when every American act in a developing country is aimed at one interest," said Jeffrey E. Garten, the Under Secretary of Commerce for International Trade. "When it comes to the big emerging markets, we find ourselves balancing a whole series of interests at once — human rights, intellectual property, trade, security interests. And it's not just China. The same is true in India, Brazil, Argentina."

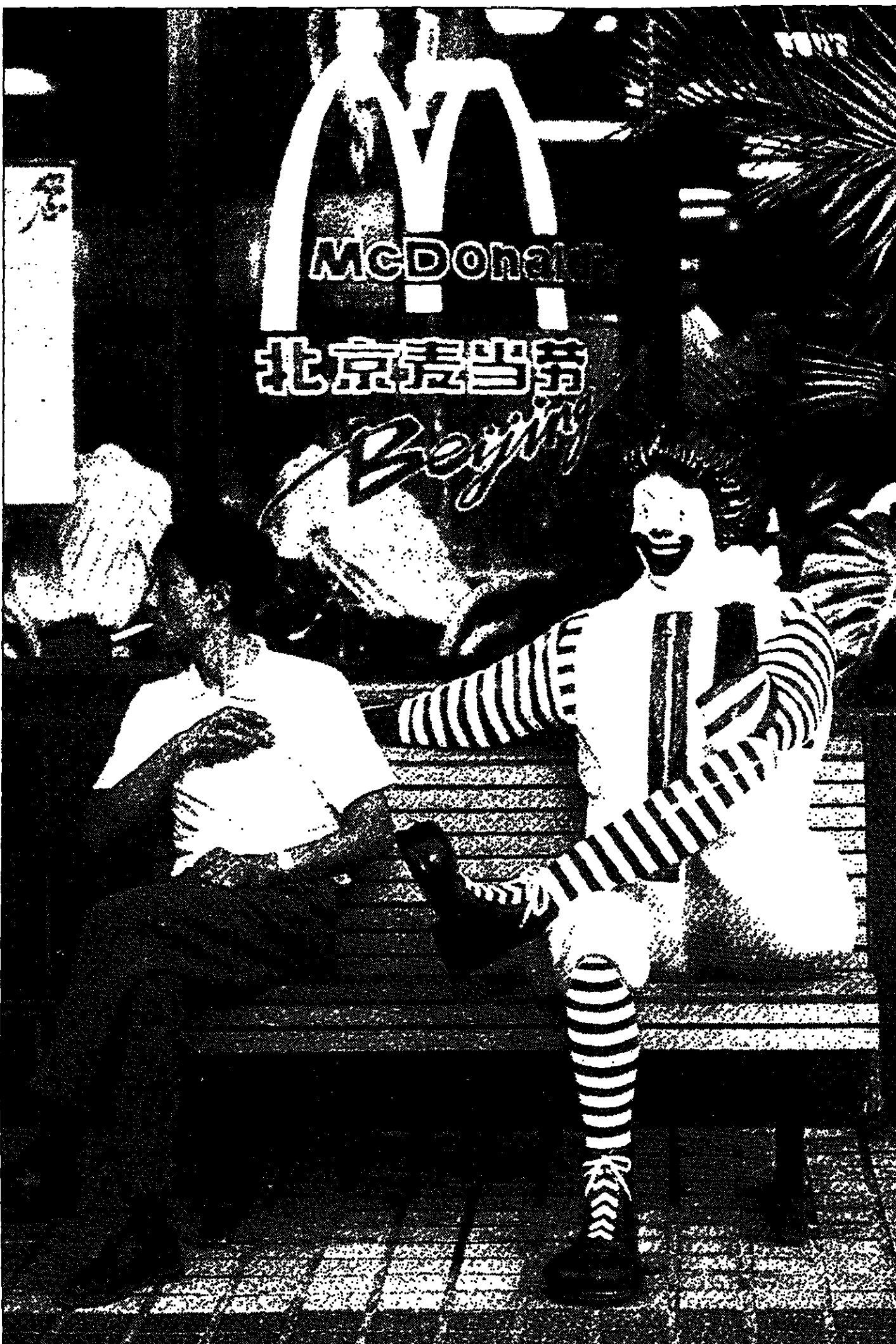
The Chinese have learned the game of interdependence fast, using American business interests to pull the right levers — as they did last year, when President Clinton backed down and agreed to abandon his policy of linking China's human rights record to the annual renewal of its most-favored-nation trade status.

But in this case, the United States stands a good chance of getting, at least on paper, most of what it is asking for, including the

Continued on page 3



The McDonnell Douglas factory in Shanghai shows no sign of trade conflict.



China has its own notion of business law. The Beijing McDonald's got an eviction notice last year when China found a better deal.

Tales Within Tales

What's happened to the Persian carpet says a lot about the Mideast's economy.

By Youssef M. Ibrahim

4

International Law

For foreigners in China, human rights issues suddenly strike close to home.

By Edward A. Gargan

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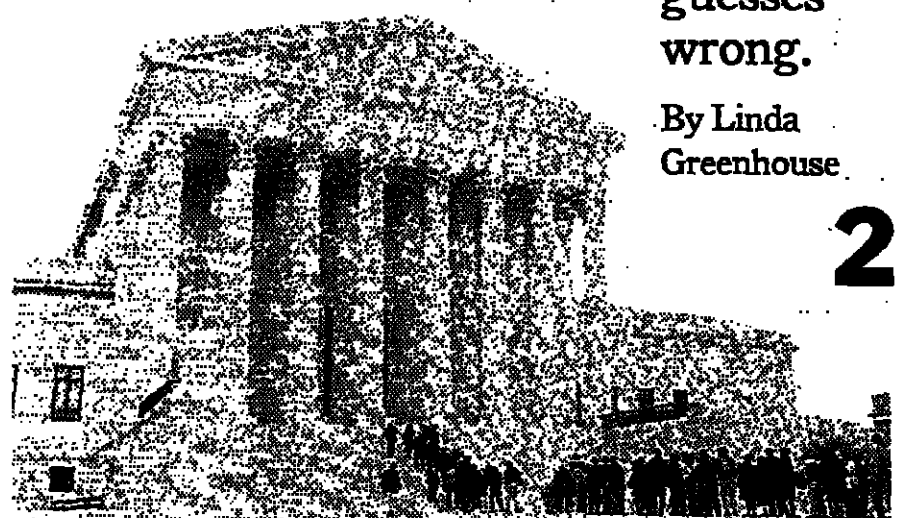
Sorry, Wrong Docket

The Supreme Court chooses cases to make certain points. Sometimes it

guesses wrong.

By Linda Greenhouse

2



Diagnosis: Treatment Pending

By GINA KOLATA

NEARLY every man over age 50 should have an annual blood test to detect prostate cancer, said Dr. Joseph E. Oesterling, chairman of the urology department at the University of Michigan. The test has been shown to be reliable in detecting aggressive tumors years before symptoms appear. And prostate cancer is a major killer of men, second only to lung cancer. So why should anyone turn down a chance for early detection and treatment?

Dr. Charles Hennekens, professor of medicine at Harvard University School of Medicine, begs to differ. He directed a recent study showing that the blood test, known as P.S.A. (for prostate specific antigen), is highly effective in finding cancer early, so he might be expected to be one of its biggest boosters. His study found that the test detects nearly 90 percent of aggressive prostate cancers five years before they cause symptoms and that it finds more than half of them a decade before they would otherwise be noticed.

But instead of advising men to rush out for the test, Dr. Hennekens cautions that his study only answered part one of a two-part question. While it showed that the test can identify cancer early, the next question has no definitive answer: Does early treatment help?

Patients with aggressive prostate cancer could die at the same time whether they started treatment early or late, Dr. Hennekens said. If that happens, all the test would do is give men an extra decade or so to live with the gnawing fear they might die of the cancer. And, if they get treatment, which usually involves surgery or radiation, most would spend those years after diagnosis impotent

or incontinent.

The prostate test is a prominent example of a dilemma that doctors and patients face every day. What to do when advances in diagnosis leap ahead of advances in therapy? Should you bet on intuition and hopes that early diagnosis and treatment might produce a better outcome? Or would it be better to wait for science to prove that treatment is effective before having the diagnostic test?

"It's a quandary in medicine," said Dr. Alan Garber, an internist at Stanford University School of Medicine. "People have to make choices." But, often, they make them with inadequate information.

Dr. Arthur Caplan, director of the Center for Bioethics at the University of Pennsylvania, says the worst occurs when people are tested without thinking carefully about the consequences of a positive result. "It's not uncommon for patients to be faced with Hobson's choices — no-win situations where you find out a test result is positive but it's not clear whether medicine has anything to offer that will be effective," he said.

This problem also confronts people who have positive AIDS tests while they are healthy and free of symptoms. It is uncertain whether any drugs on the market slow the course of the virus. Another example is women who learn they have the gene that predisposes them to breast cancer. There is no proof that prophylactic mastectomies help.

Yet, said Maryann Napoli, associate director of the Center for Medical Consumers in New York City, despite such uncertainties over treatment, it is rare for people to do nothing. Ms. Napoli pointed to the example of a man with a high P.S.A. level, who came to the center for

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A patient progresses through a CT scan.

The Nation

Detours on the Road To Legal Precedents

By LINDA GREENHOUSE

WASHINGTON

It's the wrong time
And the wrong place.
Though your case is charming,
It's the wrong case.

COLE PORTER may not have put it quite that way, but the Supremes — Chief Justice William H. Rehnquist, et al. — may soon be singing that tune.

While the Supreme Court's current term will undoubtedly produce several important decisions, the docket is notable for some cases that probably will not live up to expectations. Once apparent candidates for major rulings, these cases now appear more likely to produce only narrow decisions — if the Court manages to decide them at all.

In arguments before the Court during the past few weeks, it was clear that several of the highest-profile cases of the term, on subjects including affirmative action, school desegregation and the constitutional right to travel, have serious procedural flaws or factual problems that make them poor vehicles for resolving the profound issues the Court presumably had in mind when it agreed to decide them.

The path from potential landmark to veritable footnote is a painful one for a Court that guards its power of review so jealously. The Court agrees to decide fewer than 100 cases of the 7,000 or so that reach it every year, and each of the chosen cases has a job to do: resolve a long-simmering conflict in the lower courts, for example, or make sense of contradictory lines of Supreme Court precedent.

"The British empire may have been created in a fit of absent-mindedness; the agenda of the U.S. Supreme Court is not," H. W. Perry Jr., a political science professor at the University of Texas, wrote in a highly regarded 1991 book, "Deciding to Decide:

Agenda Setting in the United States Supreme Court" (Harvard University Press).

What a Supreme Court case is not supposed to do is require the Justices to guess at a lower court's meaning, untangle a messy factual quarrel or resolve an issue that has been overtaken by events. That is beyond the jurisdiction of the Federal courts, which are limited by Article III of the Constitution to deciding "cases" and "controversies," meaning live disputes.

Nor is a case supposed to waste the Justices' time by presenting such a narrow or idiosyncratic slice of a problem that a decision would be little more than "a restricted railroad ticket, good for this day and train only," a famous image from a 1944 dissent by Justice Owen J. Roberts.

Yet the Court seems to have bought itself just such problems when it ignored warning signs and accepted the three hot-button cases that were argued last month amid signs of frustration and second-guessing

The Court set itself up for disappointment when it accepted three hot-button cases.

from the Justices.

One case, *Missouri v. Jenkins*, is an appeal by the state of Missouri of the lower courts' refusal to relieve it of continuing financial responsibility for an elaborate court-ordered desegregation plan for the Kansas City schools.

The provocative question in the state's petition for review was whether success in desegregation is to be measured by black students' success in meeting national norms on standardized tests; the state argued that such a standard holds the schools responsi-



ble for society's ills and goes beyond the bounds of the 14th Amendment's equal protection guarantee.

Yet it was never clear from the lower court opinions, appended to the state's petition, that any judge had actually established such a requirement. At the argument, Missouri shifted to a broader attack on the broad desegregation remedy itself, which inconveniently for the state, the Supreme Court had refused to review six years ago.

The result was confusion: the Court spent a considerable part of the hour-long argument trying unsuccessfully to pin down exactly what was at stake in the case. "Please tell us as simply as you can precisely what you're asking us to do," an exasperated Justice Sandra Day O'Connor, whose vote may be the most critical to the outcome, said at one point to John R. Munich, the Missouri assistant attorney general.

The second case, *Adarand Constructors v. Peña*, is a white contractor's challenge to a Federal Government affirmative action program for small and "disadvantaged" businesses. Theoretically, this is the conservative majority's long-awaited opportunity to rein in affirmative action at the Federal level as it did at the state and local level in a 1989 decision, *City of Richmond v. Croson*.

But the program at issue is so unusual — black-owned companies do not necessarily qualify for the benefit, while some white-

owned companies theoretically may — and the white plaintiff's legal standing to have brought the case in the first place is sufficiently in doubt that the big issue may be beyond the Court's reach. "We may have a case here in which we can't decide an issue we thought we were going to decide," Justice Antonin Scalia said in frustration.

Opportunity Knocking

While the Court will almost certainly decide something in these cases, it is likely to dismiss a third outright. This case, *Anderson v. Green*, is an appeal by the state of California with important implications for the constitutional right to travel. Invoking that right, a Federal appeals court blocked California from putting into effect a welfare "experiment" under which newcomers would be limited, for one year, to the (presumably lower) welfare benefits they would have received in their home state.

Chief Justice William H. Rehnquist, among others, probably saw this case as a chance to limit or overturn precedents he has never accepted that applied the right to travel to welfare and other benefits. But even if California wins its Supreme Court appeal, it will not be able to put its program into effect because of an administrative barrier erected by a Federal court ruling last July in a related California case. The

Justices were advised of that problem before they accepted the case on Oct. 7.

Since Justices do not announce their reasons for accepting — or for turning down — cases, there is no way of knowing why they overlooked signs that it should have passed these cases by. It may not be a coincidence that all were granted at the very beginning of the term, when with the help of brand new law clerks, the Justices are faced with sorting through nearly 2,000 new cases that have piled up over the summer.

Or something other than inadvertence may be at work. Because each case apparently offered the opportunity to overturn major liberal precedents, the conservative Justices who have been looking for such an opportunity may have seized them believing the problems could be overcome — as, indeed, they may yet be — or, if not, that nothing would be lost in the attempt. The Court's rules provide that four Justices, a minority, can accept a case for decision.

Ultimately, no matter how eager their appetites, the Justices must make do with the cases that come along. They cannot roam the countryside, constructing a docket from scratch. They must rely for their raw material on the problems people bring to their doorstep, in however flawed a package. That may be the lesson here: the Court's activist desires are entangled in its passive roots.

History Lessons

Would Federalists Like Their Fans?

By DAVID LAWSKY

WHEN it comes to peddling a political proposition in this town, nothing works better than dressing it up in the hallowed trappings of the Founding Fathers. Witness Senator Larry Craig, the Idaho Republican, trying to sell fellow senators on a constitutional mandate to erase the deficit.

"Let the new Federalist Papers of 1995 be crafted by this Congress to speak to the states of our nation and to tell them the virtues of a balanced budget amendment." Thus did Mr. Craig invoke "The Federalist," a collection of political tracts written some 207 years ago by John Jay, Alexander Hamilton and James Madison to persuade the states to ratify the Constitution.

For conservatives, "The Federalist" — really, a series of 85 op-ed pieces about the Constitution first published largely in New York newspapers — are the manifesto of constrained government. They so revere the book that one of their premier debating groups, the Federalist Society, is named after it. House Speaker Newt Gingrich recommended that each freshman Republican in the House read it.

But what did Jay, Hamilton and Madison really think about the ideas behind the balanced budget amendment?

Not much, apparently. The Founding Fathers were by no means free spenders; they wanted a government that could pay its debts. But in their political essays, they expressed grave reservations about the kinds of provisions that the creators of the prospective balanced budget amendment now have in mind.

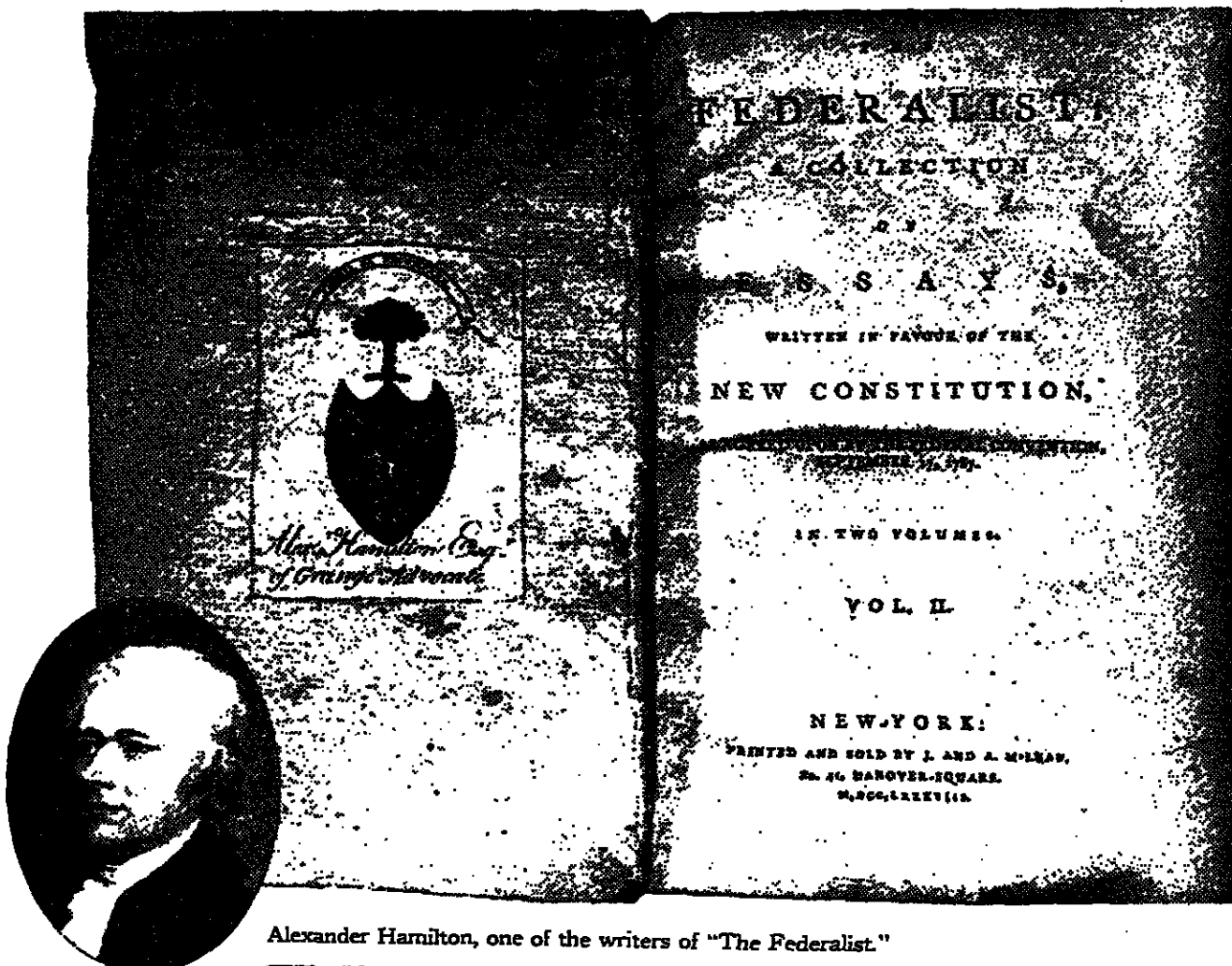
At the heart of the balanced-budget proposal is a new rule that would make it tough to pass legislation permitting

Constraining fiscal policy wasn't the Founders' way.

the country to sink further into the red. The amendment would require a supermajority, a three-fifths vote of all the members of each chamber — not merely those who are in their seats — to run an annual deficit or to borrow more money. As it stands now, Congress can bust its budget or extend its credit line any time a majority of the legislators who happen to be sitting in the House and Senate chambers votes to do so.

That seems to be the way the

David Lawsky is a Washington writer who covers Capitol Hill.



Alexander Hamilton, one of the writers of "The Federalist."

founders liked it. The Constitution says that a simple majority of the members in each house of Congress makes up a quorum that can do the nation's business, whether the business is declaring war, proposing constitutional amendments to the states, ratifying treaties or impeaching a President.

Hamilton wrote in Federalist No. 22 that quorums of more than a majority are "poison" for a deliberative assembly. He was particularly worried that if a supermajority were required for a vote, a minority would have the power to stop business just by not showing up: "To give the minority a negative upon the majority (which is always the case when more than a majority is requisite to a decision) is in its tendency to subject the sense of the greater number to that of the lesser number," Hamilton wrote. "Its situation must always savour of weakness — sometimes border on anarchy."

Madison underscored the point in Federalist No. 58, warning that when a body required more than a majority to make decisions, "the power would be transferred to the minority."

Now, what about the part of the proposed balanced-budget amendment that deals with taxation? The amendment specifies that a majority of all

elected members — instead of a majority of those present — would have to approve new taxes. The idea, according to those who back the amendment, is to give Congress an incentive to balance the budget by cutting spending, rather than by raising more from voters.

Hamilton would not have cared much for that idea either. In Federalist No. 30, he wrote that "a general power of taxation in one shape or another" is necessary for (among other things) "the payment of the national debts contracted, or that may be contracted." To water down the power to tax is to dilute what Hamilton, in Federalist No. 33, called "the most important of the authorities" of the Federal Government.

Madison Isn't Laughing

If "The Federalist" can be used as a yardstick, the framers of the Constitution would also have been troubled by the fact that the proposed budget amendment has no way of enforcing its mandate, without impinging on Congress's power of the purse. As written, the proposal calls for Congress to guess at the start of each fiscal year whether spending will be offset by taxes and other income. But if the projections turn out to be wrong (as they always

do) and Government spending slips into the red, the amendment offers no course of action.

Hamilton and Madison would not have been amused. In Federalist No. 15, Hamilton wrote: "If there be no penalty annexed to disobedience, the resolutions or commands which pretend to be laws will, in fact, amount to nothing more than advice or recommendation." So if Congress can't do the job, who will? The courts? The President? Either choice would run afoul of what Madison wrote in Federalist No. 48: "The legislative department alone has access to the pockets of the people."

In truth, none of this is lost on amendment backers. At a recent news conference, Mr. Gingrich, who is a historian himself, was asked about the contradictions between the principles of "The Federalist" and the principles of the balanced-budget amendment. He said he was confident that the framers of the Constitution would like the changes, and that the Federalists would hardly have allowed for amendments had they thought the Constitution perfect. "Jefferson said every generation needs its own revolution," Mr. Gingrich added. Yes, but then again, Jefferson did not write the Constitution or "The Federalist." And he was a Democrat.

Treatment Pending

Continued from page 1

advice. Although no evidence of cancer was found, the doctor prescribed a drug that shrinks the prostate but has no apparent effect on cancer.

"He's taking a drug to treat a lab value," said Ms. Napoli, who told the man just that. Nonetheless he was "thrilled," she said. "He said, 'At least I don't have to worry about getting cancer.'"

Dr. Barnett Kramer, associate director of the early detection and community oncology program at the National Cancer Institute in Bethesda, Md., said that automatic treatment seems to be a peculiarly American trait. In Europe and elsewhere, he said, people are more comfortable not having diagnostic tests or not having treatments when the value of treatment is unproved. "It is sometimes said that when it comes to medicine, we err on the side of commission and other countries err on the side of omission," Dr. Kramer said.

In the case of prostate cancer, a large national study has recently begun on whether early diagnosis and treatment helps, but the results will not be in for a decade or longer. In other situations, like mammography for women younger than 50, there may never be an answer. Dr. Kramer said that although it has not been proved that women in their 40's benefit from mammograms, so many researchers are convinced that they do that a study of the question in this country is impossible.

Some doctors are counseling patients to be more cautious about diagnostic tests.

Some scientists urge the public to be much more cautious about having diagnostic tests like the one for prostate cancer. "I would like proof beyond a reasonable doubt that there is more benefit than harm," Dr. Hennekens said.

Dr. Kramer agreed: "If the history of medicine has taught us anything," he said, "it has taught us that it's sometimes better to wait until all the facts are in before we take action."

Others, including Dr. John T. McConnell, chairman of the division of urology at the University of Texas Southwestern Medical Center in Dallas, argue that most people cannot wait for such proof. Dr. Hennekens' study on the effectiveness of the prostate test, he said, persuaded him to recommend that it be widely used.

"I don't think that we should say that until all these questions are answered about the value of treatment that we should not try to detect cancer," Dr. McConnell said. "We did not do that with breast cancer," he added, saying that while the benefits of regular mammograms for women over 50 were being established, women were being tested and treated. And early detection did save lives, reducing mortality rates by 30 percent among women aged 50 and older.

Dr. Oesterling said plenty of indirect evidence suggests that surgery or radiation can spare men an early death from prostate cancer. "A number of studies point to that scenario," he added, "but we don't have a perfect study that clearly proves that point."

At the very least, Dr. Garber said, patients should be aware of the disputes among experts about the use of certain diagnostic tests. The central question, Dr. Garber said, is, "Are patients getting accurate and evenhanded information, or are physicians playing on their fears to push them a certain way when the data are inadequate?"

55 من الامتحان

The World

In China, Art of the Raw Deal

By EDWARD A. GARGAN

HONG KONG
For 16 months, Jimmy Peng Jiandong has been in a jail in Shenzhen, just across the border from this British colony. He was imprisoned after being kidnapped by the Chinese police from the Portuguese colony of Macao. He has never been convicted — indeed, the judge at his trial last November told prosecutors they had not proved that Mr. Peng was corrupt. But he wasn't released. Chinese officials seem determined to prove him guilty of something.

Mr. Peng, a 36-year-old Australian citizen, is one of a growing number of foreign citizens of Chinese ancestry whose business dealings and commercial disputes inside China have resulted in extortion, house arrest, even jailing and trials. Lawyers, human rights advocates and business people themselves are citing a surge in detentions, extortion demands and fabricated criminal charges against foreign business people by local police and judicial authorities, who are wielding their power on behalf of local business interests — power often exercised free of control from Beijing.

"What you've got is the breakdown of the rule of law in localities," said Robin Munro, the Hong Kong director of Human Rights/Asia, a group based in Washington. "This is very relevant for the business community. They may not care about the rights of dissidents, but they shouldn't be under the illusion that human rights and business are unconnected issues. Can you have a proper business climate without the rule of law? I don't think so."

Foreign companies, particularly large American companies, have vociferously denounced linking human rights issues with trade, insisting that continued and substantial foreign investment inevitably will lead to an improvement in China's human rights record. But after a decade of sustained foreign investment, the State Department this month pointedly described a worsening in China's human rights situation. For foreign businesses, the increasing criminalization of commercial disputes by localities and the victimization of ethnic Chinese business people illustrate that human rights issues are not always confined to democracy advocates and independent labor leaders.

No one knows precisely how many foreign business people have been harassed or detained in China, but reports of new incidents continue to surface. Last week, the Australian consul general in Guangzhou disclosed that two more Australians of Chinese descent have been detained in commercial disputes; one of them has been held without charges for 18 months.

"We don't have any accurate numbers," said John Kamm, a businessman and human rights advocate here who travels regularly to China. "It's an endemic problem. It's a systemic problem. And even if it's not you, a foreigner, it could be one of your Chinese employees."

Ethnic Chinese make up by far the greatest percentage of foreign business people working in China. While Hong Kong, Taiwanese and Singaporean companies, run predominantly by ethnic Chinese, make up the largest portion of foreign investment in China, many Western companies routinely hire ethnic Chinese to oversee their operations in China.

Having such representatives offers obvious advantages to companies doing business in China, but an important drawback is that Chinese foreigners face the tendency of Chinese officials and institutions, particularly at the local level, to assume that Chinese facial features somehow make one "really" Chinese, and hence not a foreigner at all.

Innocence Abroad

American citizens have not been immune. A year and a half ago, police officials in Changsha, the capital of Hunan Province, dragged Philip Hui-ho Cheng out of his hotel room, confiscated his passport and threw him into jail. Mr. Cheng, a naturalized American from Hong Kong, was released after 72 hours, but he was then placed under house arrest in the city and told that he was under investigation for economic crimes related to his small bicycle- and motorcycle-helmet factory in Zhuhai, just across the border from Macao.

"I don't know how it became a criminal issue," said Mr. Cheng. "I kept asking why this happened. Nobody can tell me."

As Mr. Cheng tells it, his local Chinese partner abrogated a joint venture contract with Mr. Cheng and collaborated with the Changsha police to hold him until Mr. Cheng repaid him for his half investment. As it turned out, Mr. Cheng fought the issue successfully in

the local courts and after seven months was allowed to leave. Unintimidated, he returned to his factory. American officials have declined to comment on the case. "My feeling is that the American Embassy doesn't want to be involved too much," Mr. Cheng said in a telephone conversation from Zhuhai. "Nobody from the embassy ever showed up. Nobody ever came. They don't want to be involved in an economic dispute, or business disputes."

Damning Documents

For Taiwanese, the situation is often worse. Chiu Chen, a Taiwanese lawyer who advises investors about business on the mainland, said Taiwanese are often arrested or have money extorted from them when commercial disputes arise. She said Taiwanese in China have no legal or diplomatic protection there because the Government regards them as Chinese just as it regards Taiwan as Chinese territory.

China regularly insists that its legal system is fair, but recent internal documents acknowledge that in many localities kidnapping, hostage-taking and illegal detentions of business people occur regularly. Among these documents, obtained by Human Rights Watch, is

a series in which the Public Security Bureau, the Supreme Court and the Supreme People's Procuratorate — the principal judicial and law enforcement bodies in China — order local authorities to halt the abuses.

Mr. Peng's case is among the most egregious, say human rights advocates. Mr. Peng ran a company in Hong Kong listed on the Hong Kong stock exchange. Among his many ventures was a successful company in Shenzhen engaged in a range of activities, including textiles and property development. In 1991 he decided to take it public on the new Shenzhen stock exchange.

That was when his problems began, said Lina Shen Peng, Mr. Peng's wife. The Shenzhen authorities tried to pressure him to reduce his control of the company, which he exercised through his Hong Kong holding company. To fend them off, he hired Ding Peng, a relative of China's senior leader, Deng Xiaoping. But rather than help Mr. Peng, Ms. Ding transferred the disputed shares of his company to one of her own companies in Hong Kong. Mr. Peng sued to recover the shares and won, but Shenzhen refused to enforce the court order.

Then 16 months ago, while he was in Macao on business, Mr. Peng was forced into China and arrested. The Macao police said Mr. Peng voluntarily agreed to enter China. But in a letter he was able to smuggle to his wife, Mr. Peng said that he was physically handed over to the Chinese. Last November, Shenzhen's prosecutors tried Mr. Peng on charges of embezzling \$1.4 million, but they failed to convince the judge, who has now allowed prosecutors to try again.

Australia's Foreign Minister, Gareth Evans, appealed for Mr. Peng's release to the Chinese Vice Premier, Zhu Rongji, to no avail. Mr. Kamm said the local powers in Shenzhen are "a law unto themselves."

"My husband said to me he was innocent, and I know he is right," said Mrs. Peng. "My husband told me to believe in justice and the truth will come out one day."



The U.S.-China trade dispute belies how much the countries need each other. A smoker in Shanghai.



Chinese-American trade isn't bird feed. The star of "Sesame Street" being made in a Shenzhen factory.

It's Trade War! Aim Popguns!

Continued from page 1

right to export music and movies to the Chinese market. Business is on Mr. Clinton's side this time. And there is a hidden card: China desperately wants entrance to the new World Trade Organization, though it is balking at the free trade rules. Without resolving the current dispute, Chinese leaders know they have no chance at admission.

Over the long term, however, America's clout in such arguments seems bound to wane as the United States becomes a relatively smaller part of the world economy. And so far the effort to get other countries to join in enforcing the rules — an economic NATO — has been undermined by the fact that all of America's allies are also its economic competitors. And they are happy to let Washington play bad cop.

Consider the compact disc dispute. Sure, Kenny G is hot in China, but so are the mournful love songs of Japanese enka singers. But the Administration knew better than to ask Japan, or even Taiwan, to join in its demand that China close the pirates' lairs or face trade sanctions. Japan and others are happy to watch superpowers play off against each other. If Chinese-American relations drop into the deep freeze, the Japanese can fill the trade void. If America prevails, it will open the market not only for itself, but everyone else.

"This is our fate as the world's largest power," Mickey Kantor, the United States Trade Representative, said in his office the other day. "We have to blaze the way, and others take a free ride."

The fundamental problem is that there is no assurance that any agreement will work. William P. Alford, a Harvard law professor who recently wrote a book on Chinese views of intellectual property — "To

Steal a Book is an Elegant Offense" (Stanford University Press, 1995) — notes that the United States, Europe and Japan once did negotiate an agreement to protect copyrights and trademarks — in 1904, after the Boxer Rebellion.

"It took about a year for the Chinese to figure out that the best way to proceed was to give the Americans whatever they wanted and tell them to go away," he said. "They did not have the institutions to enforce intellectual property rights at the time, or broad understanding in the country that this is a kind of right to be respected. And even now, there is no broad understanding."

Nor is there any political will to solve the problem. Under pressure from Mr. Kantor, China two years ago enacted all the laws it needs to crack down on the illegal copying of products. "On the books, it looks great," Mr. Kantor said. "But no one is enforcing the rules." Going to court in China is nearly hopeless. And even if you did, no judge is about to shut the biggest factory in town, especially if it is owned, as many are, by the military, the local government, or close relatives of provincial and national leaders.

Professor Alford argues that rather than apply pressure and thereby prompt a few ritual raids on

prominent factories, the Clinton Administration should encourage changing the system to create respect for law and legal institutions. Otherwise, he argues, the effort is doomed. The Chinese authorities may be able to "crack down on a few dissidents," he argues, "but there are a lot more pirates than there are dissidents."

Such a strategy, though, points up the dilemma confronting America's increasingly commercial foreign policy: Bringing about change no longer means policing what nations do at their borders — where they are pointing or selling their missiles — but rather meddling deeply in the inner workings of another country's economy, its power structure and its laws.

That is the strategy the United States has pursued with Japan. It has been slogging, politically unrewarding work, and results for American companies are, at best, a mixed bag. And that was working with one of America's closest allies, a country that proudly places itself among the leading industrialized nations and whose defense rests on the presence of 45,000 American troops. Imagine how much fun it will be negotiating over market access rules with a Communist nation in the midst of a leadership crisis, a series of increasingly independent economic fiefs, and an army quite able to fend for itself.

Look Who Wants U.S. As a Leader

By BARBARA CROSSETTE

UNITED NATIONS
When the 1990's began, intellectuals in New Delhi, which thought of itself as the capital of nonalignment, were deep in gloom, fearing that now everybody would have to take orders from an unfettered Uncle Sam.

Half a decade later, it is all but impossible to find a hegemonic bone in anybody in Washington — Republican or Democrat — and a new batch of critics from the developing nations is complaining that the United States isn't interfering enough.

It isn't that theoreticians of third world politics have suddenly embraced the idea that the United States should tell them what to do. Rather, it is that with only one truly global bankroll, diplomatic corps and military left, it is American money they want (to help them develop), American pressure (to help control unruly neighbors) and American military force (to give weight to peacekeeping operations).

But while these nations may complain about a lack of leadership, they have increasing difficulty speaking with one voice on just how the United States should lead.

"This is not an easy question to answer any more," said John W. Sewell, president of the Overseas Development Council, an independent research and policy organization in Washington. Although there are still faint echoes of the old us-them view of the world — that the rich countries are pitted against the poor ones — the developing world has fractured and now has many different agendas.

"If you look at Latin America and Southeast Asia, what they want is more trade liberalization and market access," Mr. Sewell said. "Africans feel very strongly that they need their debt situation dealt with in a much more forthcoming way."

"India needs new forms of development cooperation," Mr. Sewell said, noting that it has a newly established open-market policy but still must cope with a huge poor population. "China is different, though not dissimilar, with its fast-growing private sector in a

The third world needs America for so many things that there's no one agenda.

large pool of poverty." Everywhere, he added, there is both a yearning for investment and a fear of the volatility of foreign money. In the wake of Mexico's crisis, countries half a world away saw funds evaporate. Nations that are opening their economies to foreign capital want assurances of prosperity that are probably impossible to provide.

On the other hand, reassurances on some moral issues are not impossible, and here too the leaders of vulnerable countries are asking for leadership.

Lakshman Kadirgamar, Sri Lanka's Foreign Minister, was in Washington and New York City last week seeking public expressions of solidarity from the Administration and Congress for his Government's risky new peace overtures to the Tamil Tigers, a ruthless guerrilla army that spread havoc for nearly two decades.

"I did not come with a begging bowl," he told an audience at the Asia Society in New York City. "I am not asking for money. I don't want weapons." He said that even a Congressional resolution taking note of peace negotiations would help.

Such a request might fall oddly on American ears, but Sumit Ganguly, an Indian-born political scientist at Hunter College, says Americans do not understand the power their voices can sometimes have.

"He's absolutely right," Professor Ganguly said. "A statement by an obscure aide somewhere in Washington can set off a reaction all over South Asia. We in America see ourselves as a helpless giant, and we are not."

A Need for Consistency

But there is a problem with even that form of engagement with the countries of the third world, and Mr. Ganguly recognizes it: The power to lecture or cajole other countries on moral issues cannot be used inconsistently or half-heartedly, or it will evaporate. In particular, the Administration has been widely criticized for failing to express its human rights concerns in India, Indonesia and China, for the sake of pursuing business interests instead. "We cannot engage in moral grandstanding, then run the other way when the crunch comes," Mr. Ganguly said.

Mr. Sewell said that one thing the United States could do to reassure the developing world is to provide a strong voice and vision within international organizations. "What the developing world would like to see most from the United States, and is not getting, is global leadership," he said. "The United States has long been the historical leader of the multilateral system, and we are running the risk of losing that role." The problem, he said, is not only in a Congress hostile to the United Nations, but in a White House and State Department whose top officials are often at best lukewarm.

Take this complaint, for example: An international conference, planned by the United Nations, about poverty and social dislocations that spill across borders in the developing world is to take place in Copenhagen in early March. Leaders of more than 100 nations, including France, Germany and Japan, have signed on. President Clinton has not, and the Administration has not decided whom to send.

"This Social Summit may well die from political indifference," said Mahbub ul Haq of the United Nations Development Program. "This summit without Clinton will be like staging 'Hamlet' without the Prince of Denmark."

"The fear in developing countries used to be about American political and economic hegemony," said Mr. Haq. "But people have begun to realize that the real threat comes from lack of leadership on these issues."

He paints a grim picture of the future if that attitude continues. "More than 90 percent of the new population is now in the developing world," he said. "Last year 95 percent of babies were born there. Can the five percent in the industrial world prosper without the 95 percent?"

The World

The Magic Has Left The Persian Carpet

By YOUSSEF M. IBRAHIM

PARIS

IN the Middle East, a good carpet has always been more than an image of splendor woven in fabric; it is an asset, an under-your-foot or on-the-wall savings account meant to preserve the value of money for years — an insurance policy to be handed down and, in hard times, sold.

Now it is something else as well; alongside the price of oil and the volatility of currencies, the market in Persian carpets provides a special window into the economic dislocations caused by a decade and a half of upheaval in the Middle East.

Everybody knows that the 1990's have been the very definition of hard times for

any have been woven since the end of World War I, and the 1930's are a sort of absolute line beyond which a carpet cannot shake the dreaded adjective: "new."

It is these "new" carpets that have generally appeared for sale in the West in recent years. While they may be meticulously made of the finest materials, the market for them in the past 15 years has experienced a form of cardiac arrest, dating from the revolution in Iran in 1978, when 30 percent of that country's employed population produced more than half the world's fine carpets.

First came a mad rush to smuggle out millions of carpets by people who wanted to leave Iran; the aim was to exchange the carpets for money they could not take with them. From 1978 through the early 1980's, boatloads and truckloads of Iranian carpets were arriving every week in Dubai, Istanbul, Damascus, various Gulf Arab capitals and European cities. So the supply expanded enormously and prices tumbled as sumptuous hotels in Geneva and Milan rented out space to harried Iranian dealers who converted the smuggled goods to cash.

Then, over the next 15 years, the value of the rial, the Iranian currency, tumbled dramatically, from the equivalent of 80 rials to the dollar to more than 3,000 rials to the dollar, making it impossible for the market to recover from the shock of the early exodus. Even though the workmanship was of the same high quality as before the revolution, the price of a carpet could not catch up with the highly inflated price of the dollar. So buying any newly made Iranian carpet became significantly cheaper.

Everyone Jumps In

And then the rest of the world began to produce fine carpets too. Perfectly nice silk and wool pieces mimicking the Persian patterns began pouring out of unlikely places like China and elsewhere in Asia in huge volume.

We have here not just a rug. This is a lesson in Mideast economics.

the Persians who live in Iran, and for their neighbors in the Caucasus, Central Asia, Turkey, Iraq, Syria and the Arab Gulf area — lands in which, traditionally, the finest of these insurance policies have been woven.

So this, you might think, is the moment to acquire some bargains.

Well, think again. The modern history of Persian rugs, like the world of the "Thousand and One Nights" or the politics of southwestern Asia, is a tale within a tale within a tale. Nothing is ever as it seems.

Antique dealers say the very finest carpets have in fact proven an excellent investment, rising significantly in value over the years. But less than 10 percent of the world's millions and millions of fine carpets qualify as these "serious carpets." Hardly



Iran and the countries nearby are the source of the finest of Middle Eastern carpets. Three women work by hand in a factory in Iran.

The result: "A new carpet is a waste of money," says Reynold Hadjer, a dealer in fine antique carpets in Paris. "It's a little bit like a car; the moment you take it out of the agency it drops in value."

"There has been an explosion of new carpets coming out of everywhere — Turkey, China, Pakistan, India. Some are very well made, hand-made of very fine material, but there are far too many around," says Mr. Hadjer, whose Turkish father started the business on Rue du Faubourg St. Honoré here. "Buyers and dealers have become confused between what is truly original and the copies."

Many of the new Asian-made carpets are perfect. Too perfect, in the opinion of experienced dealers. But they still can be made at half of what it cost to weave a carpet in Iran before Ayatollah Ruhollah Khomeini overthrew the Shah. That is one reason that the Persian, Kurdish, Turkish or Afghani carpets one may have spent the last 10 years lovingly accumulating at prices averaging \$3,000 to \$4,000 apiece are worth far less today.

When Mr. Hadjer talks of an original, he is talking of the carpet made in Iran (which produces 56 percent of the top-of-the-line carpets), or in adjacent regions of Central Asia, Turkey, Azerbaijan, Armenia and Afghanistan. That is where intricate knowledge of floral and geometric patterns and of an amazing range of vegetable dyes and the techniques to apply them, as well as the instinctive feel for weaving a carpet, have been handed down. And it takes more than just hand-manufacture to create a harmonious, tightly woven carpet. The quality and freshness of the water matter. High grade wool must be harvested by brushing the animal's back during the winter and collecting wool in the spring off a live animal, to give the fiber luster and sturdiness.

A Bit of Advice

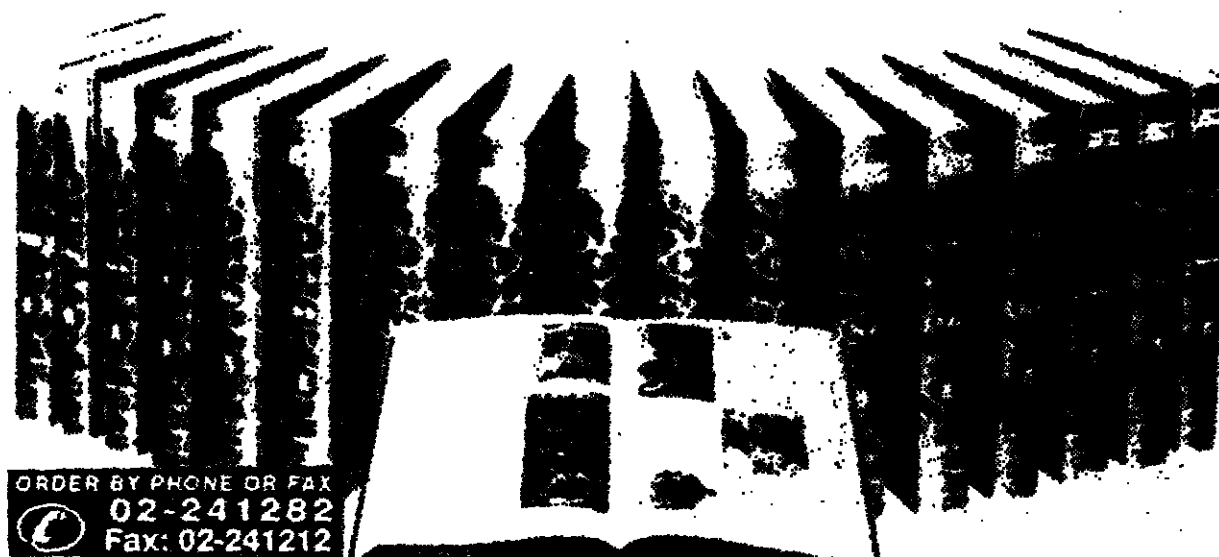
But even the use of those techniques has not prevented the prices of the vast majority of Middle Eastern carpets from tumbling under the pressure of social upheaval and outside, mass-produced competition.

So François Bruker, chief buyer for the French luxury department store Printemps and a regular traveler to Iran, has a guiding principle for any potential customer: "Buy the carpet with your heart. If you are thinking of an investment, put the money in the bank because a carpet may decrease in value and then you are stuck with something you don't like."

For the truly passionate collector, of course, there is an alternative. There are still wise investments to be made if a collector is willing to think big dollars, which is to say more than \$12,000 for a small carpet of about 3 feet by 4.5 feet, and to seek out true works of art made long ago — for example, Turkish carpets of the 17th century, 19th-century carpets from the Caucasus, 17th- or 18th-century carpets from China and Iranian carpets from the Safavid period in the 17th century.

But there is one last bit of bad news from Jackie Bing, Sotheby's carpet expert in London: "Most of the truly great beauties have stayed in the homes of their owners." And are likely to remain there.

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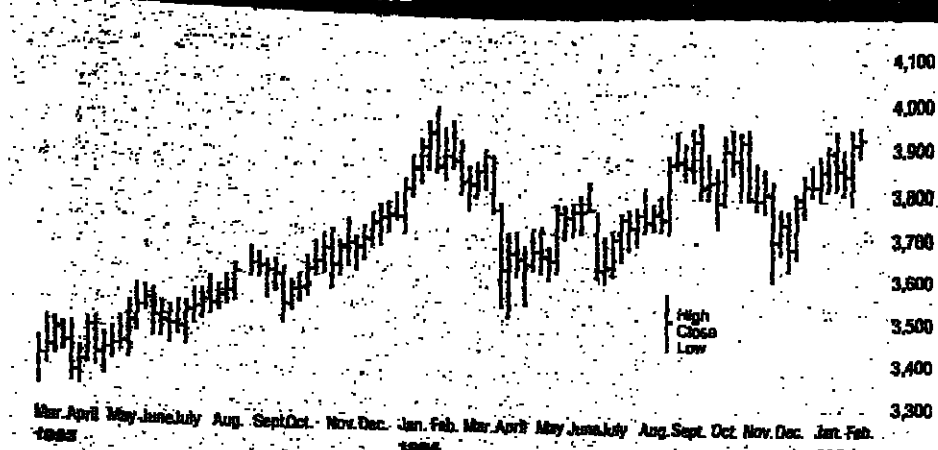
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The Stock Markets Last Week

DOW JONES INDUSTRIAL AVERAGE



MARKET DIARY			
	NYSE	NASDAQ	AMEX
Advanced	1,649	2,524	442
Declined	1,020	1,891	334
Unchanged	414	949	182
Issues Traded	3,083	5,364	958
New Highs	194	258	46
New Lows	76	123	47

MARKET INDEXES				
	Close	Chg	%Chg	YTD %
D. J. Indust	3,939.07	+ 10.43	+ 0.27	+ 2.73
D. J. Transp	1,542.13	+30.98	+ 2.05	+ 5.99
D. J. Utilis	193.05	- 2.57	- 1.31	+ 6.35
S.&P. 500	481.46	+ 2.81	+ 0.59	+ 4.83
S.&P. Indust	569.05	+ 5.16	+ 0.92	+ 3.93
NYSE Comp	261.80	+ 1.36	+ 0.52	+ 4.33
Nasdaq	790.43	+18.37	+ 2.38	+ 5.12
Amex	447.85	+ 5.42	+ 1.23	+ 3.27
Russell 2000	255.42	+ 4.64	+ 1.85	+ 2.02
Value Line	4,756.80	+41.58	+ 0.88	+ 4.76
Value Line	286.37	+ 3.91	+ 1.38	+ 3.19

INTEREST RATES			
	30-Year Bonds	Municipal Bonds	Three-Month Treasury Bills
Jan. 1994	8.00	6.00	3.00
Jan. 1995	7.57	6.30	5.40

New York Stock Exchange

MOST ACTIVE				PERCENTAGE GAINERS				PERCENTAGE LOSERS			
Vol. (00)	Last	Chg.	Pct.	Vol. (00)	Last	Chg.	Pct.	Vol. (00)	Last	Chg.	Pct.
TelMex	255135	33	+11/4	CompCre	15	+3/4	20.2	Signet	167/8	-11/8	40.8
Compq	191532	37 1/4	+1 1/2	Hxcel	6 1/2	+1 1/2	30.2	WestMin	10 1/8	-2 1/4	17.5
EMC	191291	17 3/4	+1 1/2	Galob pf	15	+3/4	27.7	Accuson	13 1/8	-2 1/4	17.4
Formd	184434	25 1/8	+1 1/2	RustInt	15 1/4	+3/4	27.1	Tadml	17 1/4	-3 1/2	15.9
Sears	137963	47	+1 1/2	Galob	7 3/4	+1 1/2	26.5	WhitC	13 1/8	-2 1/4	15.9
MicroTch	132226	52 1/2	+7 1/2	TycoTy	5 1/4	+1 1/2	25.0	ChinaTr	8 1/8	-1 1/2	14.8
WMXCh	132158	26 1/4	+2 1/2	ContMed	6 1/4	+1 1/2	25.0	Hellig	24 1/4	-4 1/8	14.3
RJR	132130	5 1/4	+1 1/2	CartW	13 1/8	+2 1/2	24.4	BrazEF	17 1/2	-2 1/4	13.6
AT&T	123989	52 1/4	+1 1/2	GnRad	6	+1	20.0	GrupRad	7 1/4	-1 1/8	13.4
Motorola	121303	62 1/4	+1	BurCl	10 1/8	+1 1/2	19.7	DuPCo	10 1/8	-1 1/8	13.3
WalM	119497	23 1/8	+1 1/2	PacSci	22 1/8	+3 1/4	19.6	Corimon	6 1/4	-7/8	12.3
Merck	109014	40 1/8	+1 1/2	GnCar	18 1/8	+3	19.2	Maderas	20	-2 1/4	12.1
GM	108922	39 1/8	+1 1/2	EBP	9 1/8	+1 1/2	18.5	GrupEle	7 1/2	-1	11.8
PepsiC	107498	37 1/2	+1 1/2	LSI Lg	52 1/8	+8	18.1	GrupEmo	8 1/2	-1 1/8	11.7
Kmart	101487	14 1/4	+1 1/2	BorgWm	8 1/4	+1 1/4	17.9	SgnlAp	7	-7/8	11.1

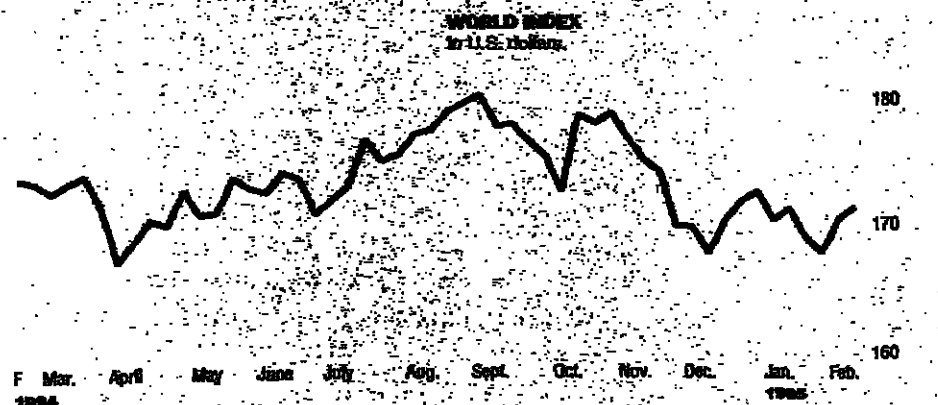
Nasdaq

MOST ACTIVE				PERCENTAGE GAINERS				PERCENTAGE LOSERS			
Vol. (00)	Last	Chg.	Pct.	Vol. (00)	Last	Chg.	Pct.	Vol. (00)	Last	Chg.	Pct.
Novell	306435	20 1/8	+2 1/2	ArakEng	5 1/4	+2 1/2	70.4	GvtTch	6 1/4	-3	32.4
Intel	282307	17 1/8	+3 1/2	SpecSig	5 1/2	+1 1/2	51.7	KTru	6 1/2	-3	31.6
Angen	268145	68 1/8	+5 1/2	Symtcs	16 1/4	+5 1/4	47.7	Winfin	11	-3 1/8	26.1
TelCn A	238381	20 1/2	+1 1/2	EP	7	+2 1/4	47.4	DM Mangmt	4	-1 1/4	23.8
Cicco s	218123	35 1/8	+1 1/2	YeoCth	6	+1 1/2	45.5	ACTV	5 1/4	-1 1/2	23.6
MCI	189018	20 1/8	+1	AlasR	28 1/2	+7 1/2	36.5	ModMdm	6 1/2	-1 1/8	23.4
Infrms	149609	38 1/4	+4 1/2	IntVer	5 1/4	+1 1/2	35.7	DSP CapGp	15	-4	21.1
AppleC	149437	43 1/4	+3 1/4	NatDig	6 1/4	+1 1/2	35.1	PhyCmNt	4	-1	20.0
Macst s	139313	62	+1 1/2	ExStrFn	5	+1 1/4	33.3	PagPtnrs	4 1/8	-1 1/8	19.6
ElecArt	136270	23 1/8	+4 1/2	LCS	11 1/4	+2 1/4	32.4	SwngSide	5 1/2	-1 1/4	18.5

American Stock Exchange

MOST ACTIVE				PERCENTAGE GAINERS				PERCENTAGE LOSERS			
Vol. (00)	Last	Chg.	Pct.	Vol. (00)	Last	Chg.	Pct.	Vol. (00)	Last	Chg.	Pct.
IntDigCm	65843	10 1/4	+3/4	HeistC	8 1/8	+2 1/2	31.5	Genisco	9 1/8	-6 1/2	91.5
VcomB	46402	46 1/8	+1 1/2	NMBAr	10 1/8	+2 1/2	28.8	IGC	4 1/4	-2 1/8	35.6
NTN	35691	7 3/4	+1 1/2	NTN	7 3/4	+1 1/2	26.5	MisnW	4 1/4	-1 1/8	25.9
IvaxCp	25578	22 1/2	+1 1/2	SheMld	5 1/4	+1 1/2	26.5	Bear-HK wt	4 1/4	-1	17.4
CheySt s	21989	15	+1 1/2	ArkRst	9 1/2	+1 1/2	24.6	Datam	5 1/8	-7/8	13.0

World Stock Markets



Prepared by Goldman, Sachs & Co. using data derived from the FT Actives World Indices, a measure of stock market performance. The FT indices are compiled jointly by The Financial Times Limited, Goldman, Sachs & Co. and NatWest Securities Ltd. in conjunction with the Institute of Actuaries and the Faculty of Actuaries.

Country	IN U.S. DOLLARS				IN LOCAL CURRENCY			
	Index	Week	YTD	Dividend	Index	Week	YTD	Exchange
Australia	159.93	-1.2	21	-6.8	19	4.05	142.64	-3.1
Austria	189.00	-0.1	18	-7.5	20	1.21	133.72	-9.1
Belgium	189.16	0.3	14	0.4	16	4.22	130.89	-1.0
Britain	198.71	1.4	8	1.0	15	4.15	188.86	1.2
Canada	126.49	0.0	16	-2.2	18	2.72	128.43	-2.3
Denmark	256.46	0.9	11	2.6	5	1.50	210.97	1.2
Finland	187.97	-0.5	19	1.1	12	0.75	184.90	-0.0
France	165.29	2.3	4	1.1	13	3.14	136.81	-0.1
Germany	145.89	3.4	3	1.8	9	1.80	115.60	0.1
Greece	323.03	7.8	2	-1.0	17	3.92	320.68	-1.0
Hong Kong	212.46	1.1	9	3.0	4	3.30	193.12	2.6
Ireland	81.37	0.2	15	8.1	1	1.69	98.09	7.5
Italy	144.51	-0.8	20	-7.9	21	0.84	90.37	-8.7
Japan	485.82	8.6	1	1.3	11	1.77	476.84	1.1
Malaysia	1058.93	-3.1	24	-25.2	24	1.67	6489.36	-14.9
Mexico	1058.93	0.9	10	2.3	7	3.34	172.99	0.7
Netherlands	72.27	-1.9	23	2.6	6	4.84	60.50	3.5
New Zealand	215.28	0.3	13	1.0	14	1.77	194.90	-0.4
Norway	343.32	-1.2	22	-8.0	22	1.86	229.80	-8.3
Singapore	393.72	-0.0	17	-8.8	23	2.53	263.55	-12.1
South Africa	134.77	1.7	7	2.1	8	4.24	133.98	1.8
Spain	245.38	2.1	5	6.2	2	1.51	269.33	5.9
Sweden	167.82	1.8	6	1.6	10	1.82	133.91	-0.1
Switzerland	179.26	0.5	12	5.1	3	2.85	497.28	5.1
United States	4100	10.43	0.27	2.73				

COMPOSITE INDEXES			
	Index	Week	YTD
Europe	172.11	1.7	1.9
Europe/Pacific	160.58	0.7	-3.3
World	171.81	0.5	-0.7

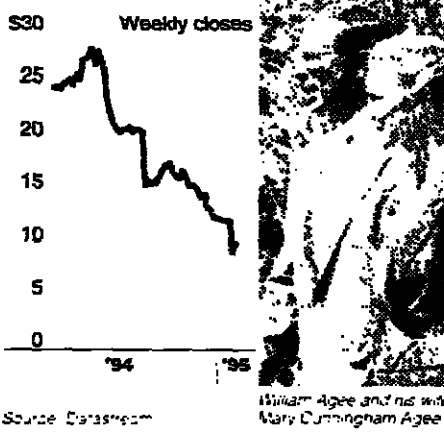
Source: Goldman, Sachs & Co. Exchange rates as of Friday's London close.
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The Economy

You Can't Go Home Again If You Stay in California

To Morrison Knudsen's directors, William Agee must have seemed a natural. He'd done great things as the boy wonder of Bendix, and if he'd made messy headlines for promoting Mary Cunningham a bit too rapidly, well, that was yesterday's news. She was Mary Agee now. And Mr. Agee would surely put his heart into running Morrison, based as it is in his hometown, Boise, Idaho. Maybe the board was so proud to have landed Mr. Agee in 1988 that it didn't notice the warning signs. What signs? Well, there was the company jet; the Agees used it so much the L.R.S. tried to get them to report it as taxable income. And Mr. Agee took telecommuting to unimaginable heights, ending up running things from California, mainly by fax and phone. But losses and a plunging stock price could not be ignored; last week, under mounting pressure, Mr. Agee resigned.

STOCK PRICES FOR MORRISON KNUDSEN



I.B.M., Hold the Starch

This is getting serious. It was one thing for companies to "restructure," "downsize," get "lean and mean"—all that heavy stuff. But edgy traditionalists knew some things would be inviolate—like I.B.M.'s dress code, a dark-suited, wing-tipped butler against onrushing chaos. Well, did you hear that crash last week? The mighty tradition fell, as Louis Gerstner, the ultimate out-with-the-old chairman, decreed that casual dress was just fine. Yes, many workers stuck with prim and proper—that's probably all that's in their closets—but there were a lot of sweaters and jeans. And, no, capitalism didn't crumble.



The Monster That Won't Die

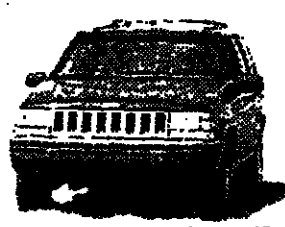
STAR WARS' DEFENSE SYSTEM
\$40 billion
CUMULATIVE TOTAL
YEARLY APPROPRIATIONS
1984 1985 1986 1987 1988 1989 1990 1991 1992 1993 1994 1995
Incorporates the amount requested in President Clinton's proposed budget. Source: Defense Department.
There was no ambiguity: "Star Wars," like Franco and the 5-cent cup of coffee, was dead. The cold war's end dealt the final blow to that extravagant, visionary antimissile shield so dear to Ronald Reagan's heart, and in 1993 Defense Secretary Les Aspin administered last rites. But clearly anything's possible now that Washington's been turned upside down, and sure enough, the Republicans now want to revive the program. Never mind that \$36 billion has already been poured in, with nothing to show for it. (That money couldn't have contributed to the deficit, by any chance?) And never mind that many experts think it's a sinkhole—and will never really work anyway. Newt Gingrich says it's "doable."

Hitting a Nerve, Italian-Style

To Americans, it was one more variation on an old theme. Another food was added to the enemies list, and the health-conscious were again asked to cut their diets to fit this year's fashions. Diet experts had been on a low-fat, high-carbohydrate kick, but last week they had second thoughts, so pasta's the latest culprit. Well, Italians didn't take this at all lightly. A leading dietitian called it "ridiculous" on television; a nationwide daily trumpeted, "America, You Don't Understand Pasta," on its front page, and a nutritionist lit into the "mountains of hot dogs" Americans consume. Salad anyone?

Four-Wheel-Drive Mania

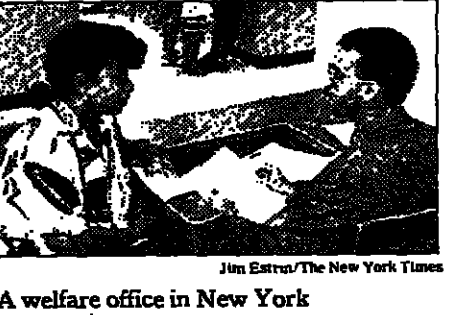
As cars get better—more efficient, smoother, sleeker—Americans are doing the only logical thing: buying clunky gas guzzlers. And paying luxury-car prices for the privilege. It's almost to the point that if you don't drive a "sport utility vehicle" (how quaint the word "car" now seems) you risk having your loyalty investigated by Congress. The latest entry: Chevrolet's Tahoe. The four-door starts at \$29,195. Ouch. Last winter put many people over the edge, of course, but the fad was already roaring ahead. But, uh, do people use four-wheel drive, the toy that helps drive gas mileage down? Don't ask.



This Time, China Blinked

A Chinese cargo ship
Trade disputes often come down to who blinks first. Take China and the United States: think of all the "Made in China" labels and our dependence is clear. And China, striving for the economic big time, clearly needs us. After Washington slapped 100 percent tariffs on more than \$1 billion worth of Chinese goods last week, China blinked quickly, asking American negotiators to come back this week to grapple anew with the core of the dispute—piracy of American-made music, movies and software. So will the dispute be resolved by Feb. 26, when the tariffs are set to kick in? Not necessarily, said Mickey Kantor, our man in trade. After all, China has 29 plants turning out CD's.

Tough Love, Tough Logic



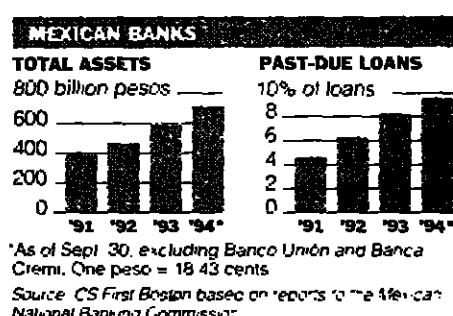
A key part of the welfare solution proposed by House Republicans last week—a plan that included a broad shift of responsibility to the states—was to bar the payment of Federal tax dollars to unwed mothers under 18. The theory: treat the poor with "tough love" to steer them away, early on, from a life of dependence. Yes, that cycle of dependence must be broken. But ignoring for a moment the predictable liberal outcry against such a move, does Republican logic even hold here? Certainly, few unwed teenagers want to get pregnant. But when they do, such a restriction would surely pressure more of them to get abortions. That hardly fits in with standard Republican philosophy.

Hitting the Big Time in Cable

Time Warner set out to become a force in the cable industry, and last week it took a big step toward its goal, agreeing to buy Cablevision in a deal valued at \$2.7 billion. That came just two weeks after it bought Houston Industries' cable properties. These will give Time Warner 11.5 million subscribers in 33 population "clusters"—it wanted this concentration so it could offer phone service, too. So, depending on who's counting, it's now either No. 1 or No. 2 in the nation. Telecommunications claims slightly more subscribers. No matter: these are the big guns now.

Mexico on the Mend? Yes, But

Rays of light may be appearing in Mexico—but don't count on it. Here's one positive note: last week the Mexican Government managed to sell some Treasury bonds—the first since that \$50 billion rescue package was announced. And the interest it had to pay came down to an almost reasonable 15.4 percent, a sign of healthy demand. But more troubling is the condition of Mexico's banks. They've already got a lot of bad loans on their books, and a battered peso will make it harder for companies to make loan payments, which will just make this worse. Not to mention that about \$8 billion in C.D.'s are coming due soon—redeemable in suddenly costly dollars. That will hurt.



World Markets/Paul Lewis

Socializing Risk to Foster Free Markets

INVESTORS in emerging markets should offer up a nightly prayer for the success of Michel Camdessus's latest endeavor. Mr. Camdessus, a former governor of the French central bank, heads the International Monetary Fund, which seeks to impose financial discipline on the world. But the I.M.F. has found increasingly that countries can evade its strictures by borrowing from private markets instead. The Clinton Administration's mammoth rescue package of more than \$50 billion for Mexico, which finance ministers from the Group of Seven industrial countries grudgingly endorsed in Toronto last weekend, gives Mr. Camdessus a chance to reclaim a more central position for the fund in the international financial arena. He wants, in effect, to institutionalize the Mexican bailout by creating a new I.M.F. loan window to be called the short-term facility, in which emerging market countries experiencing a crippling capital outflow can raise a quick loan in return for taking steps to restore foreign confidence. In Paris last week, Mr. Camdessus even said he has a secret list of 10 potential Mexicoes that seems likely to include Hungary, Argentina, Thailand, Indonesia and the Philippines, all of which, like Mexico, have big current account deficits as well as large foreign debts. It is easy to be cynical about a mechanism that would effectively provide insurance for investors in emerging markets by preventing a sudden failure of confidence in the country from undermining the value of stocks and bonds. At Toronto, Hans Tietmeyer, the German central bank's conservative president, warned that more Mexican-style bailouts would only encourage developing countries to follow unwelcome policies and investors to take unwarranted risks. Some other analysts expressed similar thoughts. John Lipsky, the chief economist at Salomon Brothers, said last week, "The creation of a massive short-term financing

facility creates obvious moral hazards." And Neil A. Soss of the New York investment firm of Soss & Cotton, said, "It's ironic that to encourage capitalism in emerging economies you must socialize the risk for U.S. investors." But the Clinton Administration and the monetary fund, which bent its own rules to lend Mexico up to \$17.5 billion—over six times the normal limit, felt a Mexican default on its foreign debt would have been, in Mr. Camdessus's words, "a true world catastrophe." "This was not a country crisis, this was a systemic crisis," insisted a senior I.M.F. official, who spoke on the condition that he not be named. He argued that a collapse of confidence in Mexico threatened a withdrawal of foreign funds from emerging economies worldwide and a flight of capital from overly indebted industrial countries like Sweden, Italy and Canada. Had Mexico defaulted on its foreign debt, the official said, the resulting crisis might have undermined the free-market-based development model that has become this decade's economic signature tune. As C. Fred Bergsten, director of the Insti-

tute for International Economics in Washington, told Congress this month, a failure to rescue Mexico risked "a retrogression in economic reforms associated with the Mexican model, back towards greater state intervention, closed markets and populist budgetary excesses." A new loan window to preserve investor confidence in emerging economies may also be justified by the size and nature of the modern capital flows on which these countries now rely, but which were unforeseen when the International Monetary Fund was created at the Bretton Woods conference held at the end of World War II. Between 1989 and 1994, official aid to developing countries rose from \$42.6 billion, to \$54.5 billion, according to the World Bank. But total private capital flows jumped from \$41.9 billion, to \$172 billion. And the most volatile portion, portfolio and equity investment, climbed from \$3.5 billion, to \$46.9 billion in 1993, before settling at \$39.5 billion at the end of 1994. Moreover, much of this money comes not from Wall Street "fat cats" but from the savings that ordinary citizens invest in global mutual funds. "There is a case for a new facility given the enormous unforeseen increase in capital flows and that the victims of a Mexican-style crisis are mainly retail investors and the country itself, which loses development," Robert Solomon, a former chief international economist at the Federal Reserve who is now with the Brookings Institute in Washington, argued last week. Mr. Solomon pointed out that when the great British economist, John Maynard Keynes, was defending the Bretton Woods system he had helped design, he promised it would keep interest rates low by allowing countries to insulate themselves against "the ebb and flow of international capital movements and flights of hot money." "That shows the Bretton Woods founding fathers lived in a different world from us," Mr. Solomon said. "We should adapt the I.M.F. to ours."

Currency

	Last Week	Prior Week	Year Ago
Japanese Yen per Dollar	98.93	99.85	107.00
German Mark per Dollar	1.5197	1.5188	1.7545
Canadian Dollar per U.S. Dollar	1.4013	1.4010	1.3435
British Pound per U.S. Dollar	1.5627	1.5639	1.4620
Gold	\$375.75	\$375.90	\$380.50
Republic National Bank			
Currency: Friday NY Close			

The New York Times

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The Next Environmental Threat

The Democrats who ran Congress in President Clinton's first two years routinely massacred good environmental legislation. They defied Interior Secretary Bruce Babbitt's efforts to reform grazing and mining laws. They blocked efforts to rewrite demonstrably bad law like Superfund, the toxic-waste cleanup program.

Could things get worse? Under Newt Gingrich, they already are. The Democrats never set out to destroy 25 years of legislative history aimed at making America's air breathable and America's waters drinkable, swimmable and fishable. But that is what the House Republicans seem bent on doing — not by flat-out repealing basic laws but by making it almost impossible to put them into effect.

Mr. Gingrich's strategy — seductively called "regulatory reform" — has several components. One is already a done deal. By wide margins, the House and Senate have passed bills that would make it harder for Congress to approve unfunded mandates — costly new regulatory obligations imposed on states and cities without the Federal dollars to pay for them. That means Congress will not be able to order state and municipal governments to stop polluting waterways with sewage or chemicals unless Congress underwrites the cost.

The downside is obvious. Congress may decide not to come up with the money — which means that "unfunded" state and local governments would be free to pollute. Although the dangers are clear, some environmental advocates have resigned themselves to the bill. Their hope is that if Congress wants to solve a problem, Congress will provide the

dollars. Mr. Clinton intends to sign the bill.

A greater threat is item two on Mr. Gingrich's list. A bill now before the House would subject all old and new Government regulations dealing with health, public safety and the environment to a new system of risk assessment, cost-benefit analysis and peer review. On their face, these are worthy ideas. Washington has produced more than one costly regulatory nightmare.

But Mr. Gingrich's approach — embodied in a bill called H.R. 9 — converts these useful concepts into a recipe for paralysis. The bill would require agencies to endure a cumbersome 23-step review consisting of layers of "expert" panels, some of which would include individuals or companies with a stake in the outcome. Even if an agency survived that process and issued a rule, private parties could challenge in court the science used to justify it.

Set aside for the moment that some risks are not easily quantifiable and that it is hard to attach a dollar figure to the benefits of cleaner air or water. The real problem with the Gingrich approach is that it could bring the regulatory process to a halt. It is one thing to relieve businesses of excessive regulatory burdens; it is another to undermine an overwhelming public interest in a cleaner environment.

It will be up to the Senate to stop this scheme. Bad regulations and laws can be revised on a case-by-case basis. But to strangle all rule-making, which is what Mr. Gingrich has in mind, is to subvert the democratic processes that have dramatically improved America's environment in the last few decades.

Replenish the Peace Process

President Clinton has gathered the top diplomats of Israel, Egypt and Jordan and the Palestine Liberation Organization along with Secretary of State Warren Christopher today in Washington to revitalize the drive for Middle East peace, particularly the talks between Israel and the P.L.O. Suicide bombings by radical Palestinians, border closures, growing talk of "separation" by Israelis and Yasser Arafat's complaints about election delays have created a bleak mood. It need not be so.

Not long ago, a meeting like today's would have been inconceivable. Israel and the P.L.O. are negotiating, not denouncing each other. Where Egypt was once shunned by the Arab world for the Camp David agreements, there is now an Arab peace camp, including several North African and Persian Gulf states as well as those represented in Washington today. Israel is formally at peace along most of its borders. Only Syria and Lebanon are holdouts, and they too are negotiating.

None of this progress can conjure away the difficult issues still unresolved between Israelis and Palestinians or the psychological impact of events like the Beit Lid bus-stop bombing or the Hebron mosque massacre. The peace that has been so painstakingly built remains fragile.

But the diplomats meeting in Washington today understood all along that terrorism was likely to be part of the equation. As Israel's Foreign Minister, Shimon Peres, remarked in Atlanta last week: "The choice is not between terror and peace. The choice is between terror without peace or peace which is still accompanied by terror."

Both Mr. Arafat of the P.L.O. and Israel's Prime Minister, Yitzhak Rabin, must be wary of their respective hawks who want to prove the peace

agreement unworkable. That wariness has fed retributions and procrastination. But it has also given both leaders a stake in the other's political survival and in keeping the dream of peace alive.

That is not easy when Israeli television shows Palestinians celebrating the terrorist massacre of Jews or when Israel responds by sealing off 50,000 Palestinian workers from their only source of employment. But peace does not require mutual affection so much as enlightened self-interest.

Recently, many Israelis have come to see their self-interest in physical separation from the Palestinians, with sealed and fortified borders separating Israel proper from most of the occupied territories. It is, paradoxically, an idea that appeals both to Israeli hawks and doves as well as some Palestinian advocates of statehood.

The Oslo peace agreement of 1993, which aimed to withdraw Israeli troops from Palestinian areas and establish an autonomous Palestinian Administration, was a first formal step toward separation. But full separation would mean, in effect, full Palestinian statehood. It would mean reaching agreement on final territorial boundaries and resolving the fate of Jewish settlements in the West Bank. In other words, separation requires accelerating the peace talks, not abandoning them.

The immediate job for the foreign ministers today is to break through the issues that have brought the talks to an impasse: chiefly control of terrorism and redeployment of Israeli troops in the West Bank to permit free Palestinian elections. It is too much to hope for a return to the euphoria that marked the Rose Garden signing ceremony of September 1993. But reviving momentum, dialogue and a degree of hope would be enough.

Editorial Notebook

Learning to Batter Women

We kid ourselves that we can dismiss the past and create ourselves anew through weight loss, divorce or a snapper haircut. Then comes the spectral moment of recognition that the past is never really gone. What we learn as children speaks through us indefinitely, often in dramatic fashion. Wife-battering may be just such a thing.

The idea that battering might be "inherited" would have remained an abstraction for me but for the recent news that a young man whose family I've known for a long time had been jailed for pistol whipping his wife. The couple had been married less than a year. Theirs was clearly a rare, fundamentalist version of an Islamic marriage, not typical of Islam as a whole. Some in the wedding party said they were shocked that the marriage ceremony made reference to the husband's right to beat his wife. The section in question specified that the beating stick be no thicker than a finger. A woman I know said she left the room when the passage was read.

A stick the width of a finger changes easily into a two-by-four or a pistol, or into the crowbar with which the horse is bludgeoned to death in that horrific scene from "Crime and Punishment." "It's my goods!" the owner shouts as the horse streams blood and used it to foreshadow a man's murder of a woman. The reference to "goods" is right on point. Wife-beating has its historical roots in the conception of women as property. Battering, like the flogging of slaves in the antebellum South, is at its most fundamental level an assertion of ownership and of property rights. As the lover-turned-murderer puts it: "If I can't have you, nobody will."

The young man who pistol whipped his wife added a new variation to an old family theme. When he was a child, his own father, a contemporary of mine, went to jail for beating a woman so savagely that she suffered broken ribs and a collapsed lung. The young man's grandfather, too, was a practiced and public batterer, a habit he may well have contracted the way his sons did.

Wife-Beating As 'Inherited' Behavior

The grandfather's battering began in the Pennsylvania factory town where I grew up. Almost a ghost town now, the city was a bulging muscle on the river in the 1930's and 60's. As in many respectable towns, the battering was routine and often quite public. The men were steelworkers, truck drivers, ship builders, executives and draftees. By ethnicity, they were Polish, Ukrainian, Irish, black and Latino. And they were everywhere, just across the hedge, the driveway or the street. My own father was one of them. He beat my mother until his sons were big enough to prevent it. Until then, he came and went from the city jail with considerable frequency. The fine — almost nothing — reflected the lightness of the crime.

Now and again battering spilled over into killing. One victim was a freckly, red-haired woman who worked at the local pharmacy. She was strikingly beautiful, with dreamy, heavy-lidded eyes like Bette Davis. One morning she turned up strangled and stabbed in a vacant lot. Her husband, whom she'd recently left, was arrested with great dispatch. What is disturbing now is how common and uneventful most of the battering seemed. The men were thought of as "regular fellas" who got drunk now and then and kicked around their wives.

Which brings us to O. J. Simpson. As the trial wears on, we will hear more testimony and argument about wife-beating. Advocates of battered women hope that the trial will make the country more mindful of the problem. For that to happen we will need to remember that women are battered not just in the glamorous climes of Hollywood but in every town. Remember too that the country has three times as many shelters for neglected dogs and cats as for bloodied and fearful wives.

The violence is handed down, it seems, woven into the social fabric. Reformulating the relation between men and women, particularly in afflicted families, will be difficult. It should spur us on to know that the fist that breaks and smashes travels on through time, destroying more lives and bodies as it goes. BRENT STAPLES

Human Rights Reporting Makes a Difference

To the Editor:

"Tidings of Abuse Fall on Deaf Ears" (Week in Review, Feb. 5) picks one of the most intractable and hopeless situations — Afghanistan — to suggest that human rights reporting makes no difference. But dozens of other cases might have been cited in which tough and consistent reporting, coupled with aggressive advocacy in Washington, Europe and other centers of influence, generated powerful pressure for change. To cite several recent examples:

• Reporting by Human Rights Watch and others on the devastating civilian toll caused by antipersonnel land mines has led 19 manufacturing nations, including the United States and many of its European allies, to adopt a moratorium on land mine exports. President Clinton has endorsed the eventual elimination of land mines, and an international conference is now giving serious consideration to such a ban.

• On-site reporting on Russian abuses in Chechnya helped lay the groundwork for a successful campaign to suspend the European Union's aid to Moscow. The result is strong pressure on Russian commanders to stop their indiscriminate shelling and bombing of civilian areas.

• The revelation that the United States Government was considering licensing the sale of cluster bombs to Turkey appears to have derailed the sale. Blocking the sale will make clear to Turkey's military that there will be serious consequences if it continues to commit atrocities in its war against Kurdish separatists.

Other human rights reports have been instrumental in sustaining the transition to nonracial democracy in South Africa, creating an interna-

tional tribunal to bring to justice those who orchestrated ethnic killings in Bosnia and Rwanda, ending summary repatriation of refugees fleeing the murderous military regime in Haiti, returning the elected President, Jean-Bertrand Aristide, to replace that regime.

Of course, the human rights movement does not always succeed, as when President Clinton delinked China's trade benefits from its horrendous human rights practices. But the factual record we maintain insures that the Administration pays a steep political price for its sellout of human rights.

The State Department's recent acknowledgment that China's human rights record has only worsened since the decision, and its efforts to have China condemned by the United Nations' leading human rights

aggressive advocacy that is the trademark of the human rights movement. ROBERT L. BERNSTEIN
Chairman, Human Rights Watch
New York, Feb. 6, 1995

Valuable to Lawmakers

To the Editor:

"Tidings of Abuse Fall on Deaf Ears" (Week in Review, Feb. 5) questions whether anyone in Congress or anywhere else, except for the offending governments, cares about the reports of human rights groups.

While I would agree that too little attention has been paid to reports of horrifying abuses in Afghanistan, one reason is that the United States no longer has an aid program there, and our ability to influence the people who are committing these crimes is limited.

However, in numerous instances I and other members of Congress have relied on the reports of human rights groups and the State Department to restrict or cut off foreign aid. We also regularly notify foreign officials of our concerns about the mistreatment of political dissidents and, as you point out, they do care what we think. Without these reports we would never hear about the plight of many of these people.

It is depressing that on the eve of the 21st century, torture and other abuses are still widespread. But there should be no mistake about the value of information received from rights monitors, who often risk their lives to gather it, as an important tool in United States foreign policy. (Senator) PATRICK LEAHY
Ranking Member
Foreign Operations Subcommittee
Washington, Feb. 6, 1995



body, may be harbingers of tougher human rights policy. No such evolution would have been conceivable without the critical reporting and

After Kobe Quake Came a Trade War

To the Editor:

Re "Japan Reluctant to Accept Help From Abroad for Quake Victims" (front page, Feb. 5): Behind such reluctance lies a story not only of United States companies driven by humanitarian goals and hindered by Japanese bureaucrats. But also it is a story about strategic moves by American companies trying to gain market share in the Kansai (Kobe-Osaka) region.

The examples you cite include the shipment of Tylenol and the provision of cellular phones by Motorola. Tylenol, along with many other American drugs, has not been licensed for use in Japan. The best place for foreign drug makers to enter the market is Kansai, where the major Japanese pharmaceutical companies are located.

So 14 pallets of Tylenol were shipped to the region. It should be noted that there is nothing wrong with Japanese painkillers, and they were not in short supply.

In the case of Motorola, the United States has pushed for a 20 percent market share for Motorola cellular phone use, but limited to the Tokyo area only. Japanese public opinion considers Motorola's technology superior to that of NTT, the nationwide provider. However, regulations have prevented Japanese consumers from calling a Motorola cellular phone in Tokyo from an NTT cellular phone in Kobe, for example. Many Japanese still believe Motorola cannot be used nationwide.

Motorola wanted to provide Kobe residents phones to alleviate a communications deadlock. The bureaucracy reacted by requiring city stickers on each phone. It backed away when a Motorola executive applied the stickers personally.

That United States companies and the Japanese bureaucracy have to use the quake disaster to disguise their trade strategies is disgusting. The term trade war has acquired a new meaning. ULRIKE SCHAEDE
Asst. Prof., Graduate School of Intl. Relations & Pacific Studies
University of California-San Diego
La Jolla, Calif., Feb. 6, 1995

Flat-Tax Proposal Rewards Go-Getters

To the Editor:

Robert Kuttner's "Instead Close Loopholes" (Op-Ed, Feb. 5) concludes that "the very idea of a flat tax is a reversal of the well-established principle of taxation based on ability to pay." That "principle" has been employed to justify marginal tax rates of up to 90 percent, although that confiscatory level has dropped to approximately 42 percent. But the notion that ability to pay should guide taxation is morally bankrupt.

The indolent pauper who has squandered the countless opportunities in the United States for training and employment owes to society a moral debt for contributing nothing to its strength; whereas the persevering high-income earner is entitled to moral credit for conduct that contributes to the pleasure of others and augments the nation's wealth.

High incomes should be taxed no more heavily than lower incomes; they should receive lighter taxation to reward conduct that most advances the happiness of others.

As a practical matter, taxing the impecunious will yield little if any revenue. It should thus be forgone not because of moral scruples but

because the game is not worth the candle.

Mr. Kuttner's contention that progressive taxation "is sensible economics" and "sound fiscal policy" wars with all experience and intuition. Reducing the tax rate would effect a corresponding rise in the incentive to work, boosting prosperity. Hong Kong is illustrative.

That tiny but densely populated British colony, bereft of natural resources, has surpassed the mother country in per capita income in the last decade with a 15 percent flat-tax rate, a sharp contrast to Britain's progressive rate structure.

House Majority Leader Dick Armey's flat-tax proposal is no survival-of-the-fittest law. Its generous exemptions would remove an additional 10 million individuals from Federal income tax rolls. It would also puny-puny bloated entitlement programs that redistribute wealth to unproductive members of society. Such hundreds of billions in subsidies to sloth are morally perverse and a dead weight on the economy. BRUCE ELLIS FEIN
Chicago, Feb. 8, 1995

The writer was an intern for Representative Dick Armey.

Racial Wrongs Have Continued Since Slavery

To the Editor:

Senator Bob Dole proclaims that because of affirmative action, "the people in America now are paying a price for things that were done before they were born" (news article, Feb. 7). He acknowledges that "slavery was wrong" and that "we did discriminate."

But, he asks, "should future generations have to pay for that?"

The Senator's comments ignore that African-Americans today do pay a price for slavery and other immorally harmful "things that were done before they were born."

Mr. Dole should understand that because of affirmative action, future generations of African-Americans might pay less than they otherwise would, but still more than anyone else. At its best, affirmative action merely redistributes the continuing

effects of slavery and generations of racist discrimination more broadly throughout society.

If the Senator had a more inclusive concern that not only white Americans, but African-Americans as well, should not pay "a price for things that were done before they were born," he would not oppose affirmative action. He would identify and advocate alternative ways to mitigate the burdens of America's historic mistakes that blacks today still bear.

But he has chosen to ride the wave of opposition to affirmative action. He has joined the long line of those who, since our original sin of slavery, have denied that blacks count as part of the people in America who matter. DAVID CHANG
Prof., New York Law School
New York, Feb. 8, 1995

Church Finally Listens on Abuse by Priests

To the Editor:

James Cardinal Hickey's involvement of The Washington Post in the disposition of the case of four Roman Catholic priests of the Washington Archdiocese who admitted molesting the same altar boy over a period of some 20 years was a painful but enlightened approach (news article, Feb. 7). It differs from earlier efforts of church administrators to deny the offense, quietly transfer the offenders and safeguard the image of the church.

It differs, for example, from the response of some of the hierarchy to the 1985 warning by three who were aware of the mounting problem of clerical abuse — a civil lawyer, a canon lawyer at the Vatican Embassy in Washington and a psychiatrist — that such was "the single most serious and far-reaching problem facing our church today."

One archbishop vehemently denied what the Rev. Andrew Greeley has said "may be the greatest scandal in the history of religion in America and perhaps the most serious crisis Catholicism has faced since the Reformation." Another, blaming the messenger, invoked "God's power on the media." A bishop pronounced that the "pedophilic annoyance," as he delicately phrased it, would "eventually abate."

It seems that more churchmen today are finally listening. Listening, after all, precedes healing. E. LEO MCMANNUS
Venice, Fla., Feb. 8, 1995

Death Penalty Affirms Rights of Victimized

To the Editor:

Re "What Prosecutors Won't Tell You" (Op-Ed, Feb. 7):

Manhattan District Attorney Robert M. Morgenthau contends that there is no credible evidence that executions deter crime. Nonsense! The inescapable fact is that no convicted murderer executed by the state has ever killed again. It's too bad we can't say that about all the convicted murderers who are later set free.

I had been strongly against the death penalty for most of my life. But I was persuaded to its moral necessity by the voice of a young woman who recounted how she had lost both her father and brother to the same murderer — incredibly, seven years apart, after the killer was released on parole!

While it might make us feel better if we knew the death penalty deterred others, that's beside the point. The real issue is whose rights should be paramount, those of the convicted murderer or the victim's family? If a murderer is guilty beyond a shadow of a doubt, he or she should not have an opportunity to kill again, either in or out of prison. CHARLES BINS
Westwood, N.J., Feb. 8, 1995

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Journal

FRANK RICH

White History Month

The last thing I ever expected was to get sucked into Black History Month. In my high school, we simply didn't have black history. Some days we didn't even have white history.

Miss Gillespie, who taught my ungrateful class against the approaching drumbeat of Martin Luther King's new civil-rights movement in the 1960's, hoped we would live to see "Dixie" replace that "impossible" national anthem. "When you hear 'Dixie,'" she said, "the tune just makes you want to join in!" When it came time to teach the Civil War, Miss Gillespie glided right by it, reflecting the public school system's fear that the topic might "stir up racial tensions."

My school was in the nation's capital. Incredibly enough, this was in the last days of the House District Committee — the tribunal of Southern racists who ran the city like a plantation. The school system, officially integrated, was in fact segregated. I went to one of the last mostly white enclaves. When the student paper tried to run an editorial in favor of D.C. home rule, our editorial was banned. It might "stir up racial tensions," the principal said.

Still, there were black people in my life back then. Almost all of them were maids. Every middle-class family in Washington seemed to have a maid. We never asked where they came from. The supply, apparently, was unlimited.

My grandparents' maid was named Irene. She had been with the family since my father was a boy during the Depression. Even then I could see she was a vaudeville foil to my eccentric grandmother, who, while not wealthy, had never learned how to cook or drive. Grandma was deaf. Irene delighted in shouting at her. It was like "Driving Miss Daisy" in a wind tunnel.

Where did Irene come from? One night before I left for college, she invited me into her house. There, next to Jesus, were portraits of President Kennedy and Dr. King — and this in the home of a woman who seemed to follow my grandparents' example as good Republicans. Other clues were scarce. There a dining room was a frayed, tasseled rug of my grandmother's living room, of the decade before.

Not long after that, better teach-

Two tales of one city.

ers than Miss Gillespie, not to mention the inevitable explosion of those "racial tensions," ended my remaining illusions about the two Americas that coexisted in the Washington of my childhood. Even so, it wasn't until this year's Black History Month that I could fill in the rest of Irene's story.

In the current political climate, Black History Month is no doubt derided as an affirmative-action sop to multiculturalists and other despoilers of the 1950's American way. Since it began well after my school days, I never thought much about Black History Month at all. Yet whether by accident or design, there's a focus to this February's celebration that could ambush all but the terminally obtuse.

Almost anywhere you turn are gripping accounts of this century's great migration of six million blacks from the sharecropping South to the industrial North — from Jacob Lawrence's 1941 cycle of 60 paintings, "The Migration Series," at the Museum of Modern Art, to August Wilson's play "The Piano Lesson" last week on TV, to the five-part documentary "The Promised Land," adapted from Nicholas Lemann's history of the migration, arriving on television tonight.

Far less epic but, for me, more unsettling is an oral history by Elizabeth Clark-Lewis, "Living In, Living Out: African-American Domesticity in Washington, D.C., 1910-1940," newly published by Smithsonian Institution Press. It's the first sustained attempt to recover voices from the great migration that elude even masters like Lawrence and Wilson — those of the maids.

In Ms. Clark-Lewis's book, elderly women sometimes recount their memories while sitting as Irene did in parlors eerily laden with the discarded furniture of the homes where they long ago worked. Their stories — of neurotic matrons, demeaning uniforms and low pay — are "fierce and not melodic." But without them, stories like mine can never be complete; the maids of Washington would remain hollow creations of their employers, just like their hand-me-down living rooms. Without black history, an American keeps learning, white history is often a sham.



Caine Black

Dresden's Undying Embers

By Christian Habbe and Donald Koblitz

In this bloody century, Germans have sinned more than they have been sinned against. Thus none of the many 50th-anniversary observances have marked German victimhood. Until now. Tomorrow is the half-century anniversary of the firebombing of Dresden, one of the most horrendous acts — 35,000 civilian deaths — in a war more horrific than any in history.

But it was not the first traumatic fire in Dresden, whose magnificent architecture testified to its pivotal position in German history and culture.

Before the war had even started, on the morning of Nov. 10, 1938, the people of Dresden came out to see what they had done the night before: Kristallnacht, the best organized nationwide pogrom against the Jews. Among the many establishments destroyed by fire was the central synagogue. The painter Otto Griebel later wrote of viewing the rubble with Franz Hackel, an eccentric well-known in Dresden as something of a prophet. "This fire will come back," Hackel said. "It will make a great arch and return to us."

It took six and half years to fulfill that prophecy. Shortly after 10 P.M. on Feb. 13, 1945, Dresden's citizens heard, as survivors later described it, sounds like "falling trees" and "onrushing locomotives." England's Fifth Bomber Squadron was beginning the two-day bombing campaign. Within 23 minutes, 3,000 heavy frag-

Germans are finally asking why the helpless city was bombed.

mentation bombs, 250 incendiary bombs and 400,000 small incendiary "fire sticks" fell on the city.

The next day, a second wave of bombers, mostly American, followed. They turned the center of the city, already engulfed in flames, into a firestorm with hurricane winds. The heat at ground level exceeded 1,800 degrees Fahrenheit; glass bottles stored in drug store basements melted.

Almost 4,000 acres, largely apart-

ment buildings (along with the men, women and children who inhabited them) were obliterated.

For days afterward, many buildings gutted by fire — including the Frauenkirche, the Baroque church that was the symbol of the city — remained standing as their embers cooled, only to suddenly collapse in on themselves, as if brushed by the hands of ghosts.

The peace of the dead settled over the city, broken only by an eagle, escaped from the zoo, circling over the ashes.

There were no military targets in Dresden. According to British ar-

chieves, the city was chosen largely because it was still intact, a necessary prerequisite for the elaborate bombing pattern designed to spark a firestorm, a technique never before used on such a monstrous scale. Berlin was spared by virtue of the heavy bombing that had already cut wide swaths of destruction and would have been a firebreak.

It is a very different Germany, now reunified, that has begun to openly discuss the sin that was visited on Dresden. Until now, the legacy of other European cities' laid waste by their "forefathers" — Coventry, Rotterdam, Belgrade, Stalingrad — did not give Germans much leeway for finger-pointing.

The Holocaust was such an unthinkable horror, the Nazi dictatorship so uniquely evil, that the calculated firebombing of more than half a million defenseless civilians in the dying days of the war had just fallen by the wayside.

Now a growing self-confidence and the rise of a new generation have given Germans the impetus to speak openly, without political motivation, of this anniversary. We saw a few signs of this at the 40th anniversary 10 years ago, and in more raucous tones in 1992 when England's Queen Mother dedicated a statue in London to the British general who planned the firebombing, Arthur (Bomber) Harris. But this year the question of Germany's right to mark the event, and to categorize it as a war crime, has been discussed at the highest levels.

President Roman Herzog will recognize the occasion with a speech in Dresden, much of which has been carefully restored to its prewar magnificence. His appearance has prompted concern from intellectuals worried that he'll play into the hands of those who see Germany as a victim.

In an open letter to the President, the German Jewish writer Ralph Giordano warned that his presence might benefit "those who want to twist the truths of history and minimize Germany's crimes."

Mr. Herzog has said that he plans to tell "the truth" about the firebombing. "If you want to unify this Europe of ours, you have to bring its histories into line," he said. "You can't have a situation where national histories continue to persist, and each country picks out the good things it did."

It is a sign of Germany's political maturity that, in advance of the anniversary public discussion has covered more than just the destruction of the city. Germans have acknowledged that Dresden was steeped in sin well before the British Lancaster bombers visited it on their rooftops. Under its Nazi gauleiter, Martin Mutschmann, Dresden's "racial purification" campaigns were the envy of the Reich. This cultured capital of Saxony was censoring art years before the Nazis' famous 1937 exhibit of "degenerate" art works in Munich.

Of course, some unreconstructed reactionaries continue to equate German victims with victims of Nazi atrocities, but they find little echo in Germany, and little reception among leaders of any legitimate political party.

Dresden is, rather, one of the sym-

bolis that, along with the Nazi atrocities, have caused most Germans to treat all military action, including the Persian Gulf war, with skepticism.

The concerns of Mr. Herzog's critics notwithstanding, few Germans expend energy over why Dresden met such a tortured death; those who dispute which side started the war are simply not taken seriously anymore. It is only natural for Germans to consider the charcoaling of the people of Dresden; it is a lesson for all of us on the evil of war.

WASHINGTON

When I was in Hong Kong recently I noticed a small item in the paper reporting that a prominent democracy campaigner from Shanghai, Dai Xuezhong, had been sentenced to three years in prison for tax evasion. Now that's interesting, I thought. The Chinese have been telling the U.S. that they just can't track down all those pirate factories ripping off American compact disks, movies and software, but they managed to track down the tax returns of Mr. Dai, out of 1.2 billion Chinese. Funny people these Chinese leaders. They have no problem with the needles; it's the haystacks that elude them.

Why? Because the pirate factories are owned and operated by provincial governments, ruling families or the army and are cash cows for all of them. They need to keep them going to underwrite lavish life styles, to finance government budgets or to employ some of the millions of Chinese who have left the countryside and are roaming the cities for work. That's why when the central authorities in Beijing, who have good copyright laws on the books, pull levers to enforce those laws, the levers come off in their hands.

That is also why this copyright dispute with China is about so much more than whether Barbra Streisand collects an extra \$100,000 a year in royalties. It's about what could be one of the most important question of U.S. foreign policy in the 21st century: What if China can't go straight? That is, what if the system there remains so trapped in the half-light between reform and corruption, between state control and regional autonomy, between truth and lies that China finds itself incapable of playing by the global rules?

The Chinese are so used to lying to themselves that they think they can lie to the world and no one will call them on it. When the U.S. got fed up last month, broke off the copyright talks with Beijing and slapped China with \$1 billion in sanctions, the Chinese were shocked. They denounced Lee Sands, the top U.S. negotiator, and complained that he left Beijing "without even saying goodbye."

Imagine that — he didn't even say goodbye! President Clinton deserves credit for his bluntness. In today's one-superpower world, if the U.S. doesn't confront the Chinese on this issue, no one else will. The craven Europeans and Japanese are behind us all the way — way, way behind us. So far behind us you can't see them

because they are too busy trying to gobble up market share that U.S. companies might lose as a result of this confrontation.

The trick for the U.S. is to find a way to put enough pressure on China to make it conform to international trade norms, without putting so much pressure on it at once that the U.S. and Beijing get into a cold war on a broad front. (It's one thing to fight a cold war with a hollow Soviet economy that produced television sets that blew up and tractors that were more valuable as scrap metal. It's another to fight a cold war with 1.2 billion people, whose economy grows at 10 percent a year.)

The key to such a nuanced strategy is the U.S. business community. China's leaders understand that their power depends on their ability to keep expanding their economy. They will

How to win a trade war.

only go after the pirates when we make it clear that their economy won't attract investment if they don't. The only way to do that is to demonstrate that U.S. business is on the side of the Administration.

In a real war, you count tanks and soldiers. In a trade war, you count C.E.O.'s. And what is interesting about this dispute over copyright laws is that the balance of briefcases now favors the U.S. That's because the U.S. business community has discovered that China doesn't want to just import U.S. goods. It wants to import U.S. technology, so it can make everything itself. And if China is ripping off Mickey Mouse emblems today, it will be ripping off auto designs tomorrow. In fact, it already is. The Big Three U.S. auto makers are backing Mr. Clinton — even though Beijing has singled them out for retaliation — because China has already ripped off Chrysler technology and produced a knock-off Jeep.

The two sides have scheduled last-ditch negotiations for this week. You don't need to be Clausewitz to handi-cap this one. It's real simple: If Mr. Clinton can hold his business brigades together, the Chinese will cave. If he can't, the Chinese will walk — and you can be sure they won't say goodbye.

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Hollywood Presents: Government as Villain

By MARIA LAURINO

As an army of newly elected Republicans settle into Congress declaring that they've heard the vox populi, they may want to double-check the pulse of the country by watching a few movies. The anger against government that exploded in November only confirmed what film audiences have known: politicians and bureaucrats are in big trouble, surpassing gangsters and mobsters as the villains of the country.

More and more Americans seem to share the sentiment of Col. William Ludlow in the current hit "Legends of the Fall." Silenced by a stroke, Ludlow (played by Anthony Hopkins) manages to dredge from the depths of his soul the energy to yell one vulgar phrase that expresses his irrepressible contempt for his Government. At best, as films like "Forrest Gump" suggest, Presidents and politicians are seen as just passing irrelevant figures in the American landscape. The simpleton Gump meets three Presidents, yet they pale in significance compared with his family and friends.

Years before Republicans drew up their Contract With America, Hollywood scripted its own contract, which took weak and corrupt Government as its target. From the compromises politicians inevitably made in their pursuit of power in "The Candidate" (1972) and the cynical view of politics in "Nashville" (1975) to Hollywood's tale about Watergate in "All the President's Men" (1976), film has reflected the shifting mood of a country increasingly disillusioned by the Vietnam War and the Watergate scandal. The Government once capable of winning World War II and ending the Great Depression seemed cruelly replaced by feckless leaders who routinely lied to the people.

Today, as people's faith in politicians — as well as some institutions — plummets, the seed of anti-Government fervor reflected in the films of the 70's has grown to an unremitting attack in the 90's. Now anti-Government films go well beyond the implications of the earlier era to accusations of gross incompetence, treachery and even murder.

Most recently, in "Bad Company," a former C.I.A. agent lists his job skills as "blackmail, bribery, subversion and the odd kidnapping," reinforcing the movie's theme that there's little distinction between an underground criminal organization and the United States intelligence agency. In "Murder in the First," a young attorney discovers a Government conspiracy supported by J. Edgar Hoover, the head of the F.B.I., to stop him from exposing the atrocities of Alcatraz.

Even comedies seem to reflect deep

American anger toward government and the belief that the phrase public servant is an oxymoron. "Speechless," a recent film about two speechwriters (reminiscent of James Carville and Mary Matalin) for opposing candidates for the United States Senate, shows politicians without convictions whose hands are always open to bribes.

The news from Washington in the past few decades, of course, has provided reams of script material. The national security adviser who authorized a secret war against Colombian drug lords in last year's "Clear and Present Danger" may have taken a cue from his real-life counterpart, Admiral John M. Poindexter, who authorized using the proceeds from Iran arms sales to finance the Nicaraguan contras.

The weak and philandering President in the 1993 film "Dave" falls into a coma after making love to his secretary, bringing to mind gossip about the dalliances of real-life politicians. In "No Way Out" (1997), the wily counsel to the Secretary of Defense, who explains, "You have no idea what men of power can do," conjures up visions of H. R. Haldeman trying to justify Watergate.

In each of these movies, there's no check on the balance of evil. In "Clear and Present Danger" the National Security Adviser orders the death of Jack Ryan (Harrison Ford), the Deputy Director of the C.I.A., because Ryan gets in his way. In "Dave" the White House Chief of Staff hides the comatose President (Kevin Kline) and finds a look-alike (Mr. Kline) to serve as the puppet head of his Government. The counsel in "No Way Out" defines power as the ability to shoot staff members in cold blood.

Fred Thompson, who played the head of the C.I.A. in "No Way Out," said he now has second thoughts about Hollywood's portrayal of Government. Mr. Thompson, a former minority counsel during the Watergate hearings and a Tennessee Republican who handed in his movie scripts to run for political office, was elected to the United States Senate in November.

"There have been so many movies with such a consistent theme that I'm afraid they're also shaping the views of society," Mr. Thompson said. "That's not to say that government shouldn't be fair game along with everything else. But can you think of a movie in the last 10 years that has shown the C.I.A. and the F.B.I. in a positive light?"

Long gone are films like "The F.B.I. Story" (1959), in which heroic agents brave the odds to defeat Public Enemy No. 1, or "Notorious" (1946), directed by Alfred Hitchcock, with Cary Grant as a Federal agent willing to risk his life to fight the Nazis. Occasionally a remake of an earlier story, like the 1987 film "The Untouchables," starring Kevin Costner, portrays a heroic Federal agent like Eliot Ness. But even he must fight a corrupt Chicago police



No Heroes Here Michael Beach, left, Spalding Gray, lying down, Ellen Barkin and Laurence Fishburne in "Bad Company"—A former C.I.A. agent turns killer.

department. Today it's much more common to find an F.B.I. or C.I.A. agent in film who is responsible for the deaths of innocent children or American soldiers. A good agent, like Mr. Ford's Jack Ryan, wages a life-and-death battle against the worst public enemy of all, his own Government.

In "Bad Company" Nelson Crowe (Laurence Fishburne) joins a criminal organization filled with ex-C.I.A. types like him, whose shady work includes bribing judges to fix legal decisions on behalf of the organization's clients. As the Byzantine plot unfolds, the audience learns that the C.I.A. wants to take over this organization because it competes with the agency's own disreputable work. The film offers no heroes and implies that anyone who works for the C.I.A. is beyond redemption.

Years ago, a director who suggested that corruption existed in Government paid a heavy price. Frank Capra was relentlessly attacked by a Washington press corps sympathetic to the Government (a quaint notion today) after the 1938 release of "Mr. Smith Goes to Washington." The portrayal of scheming senators who lined their own pockets prompted Joseph P. Kennedy, then the United States Ambassador to Britain, to urge the head of Columbia Pictures, Harry Cohn, to stop the release of the movie in Europe.

While film makers these days don't share Mr. Capra's censorship worries, they hear the message of his picture: it's up to the little guy to fight the powers that be. In "Dave" the acting President, who used to

run a temporary-employment agency, believes that good, hard-working people like him can fix a country that has been sorely misled. When Dave asks an accountant friend to help him cut the Federal budget, the friend reduces the complexities of the Federal budget to a simple question: "Who does these books? I mean, if I ran my business this way, I'd be out of business."

Ronald Brownstein, author of the 1991 book "The Power and the Glitter: The Hollywood-Washington Connection," is critical of that scene, on the grounds that it unduly simplifies the problems of governing. "It symbolizes what's wrong with all of these movies and so much of our politics as well," he said. "They perpetuate the idea that the problem in the country is self-centered or careerist leadership rather than the structural disparity between what we want and what we are willing to sacrifice for what we want."

Such plots, which pit a well-meaning outsider against a vastly corrupt political system, have another effect. They let audiences cheer for the hero while realizing the fleetingness of the victory: if people are told that the root of government is rotten, then even a good branch can't survive for long.

Some films heighten the evil effects of government by impressing upon audiences the innocence of its victims. In "Murder in the First," the camera moves from a City Hall press conference announcing a Govern-

mental clamp-down on attempted escapes from Alcatraz to the brutal punishment by a prison warden of one of the escapees (Kevin Bacon). The escapee, whose naked body hangs bruised and bleeding from the torture, may be seen as a modern-day Jesus Christ sacrificed by a corrupt system.

The director Sidney Lumet argued that the plot structure in many recent movies adds to this stereotypical view. "Paddy Chayefsky used to say that what the studio wants for the hero is a 'pet-the-dog scene,' and for the villain a 'kick-the-dog scene,'" said Mr. Lumet. But today, as movies become less complex and television gains a greater hold on the American imagination, Mr. Lumet said he sees more and more simplistic scenarios. "Bang. It's the black hat right out of the westerns. And the President is wearing a black hat, or the Chairman of the Joint Chiefs of Staff or his assistant. You don't have to deal with rounded villains or rounded heroes."

Only occasionally does a movie offer a ray of hope for the positive power of government. "City of Hope" (1991), written and directed by John Sayles, takes place in a poor New Jersey city where prime real estate is a reward for those who do favors for corrupt officials. The film presents no clear-cut solutions, but a city councilman who believes that government can help people works within an imperfect system to try to get good housing and schools for his community.

"City Hall," a thriller starring Al Pacino that is being filmed in New York, may also offer a somewhat positive message. The screenplay, written by Bo Goldman, was adapted from a story by Kenneth Lipper, a former deputy mayor during the Koch administration who also was a producer of the film. The plot involves a shoot-out in Brooklyn and the subsequent death of a police officer, a drug dealer and a black child. An idealistic mayor (John Cusack) investigates the incident and begins to understand the compromises government officials make each day.

Mr. Goldman said the movie suggests that democracy, as intricate and unwieldy as it is, can still work. "But it takes a lot, and even the most dedicated people can go wrong finding their way," he said. "The only hope for the process is for young people to step in and take part."

So far, the tide of monstrous politicians and bureaucrats that flows from Hollywood every year overwhelms the small number of films that offer hope for the future of government. Indeed, if the new Republican majority heeds the message that Americans have a deep distrust of all politicians, they may want to join with the Democrats and ask themselves that famous question posed by Robert Redford years ago in "The Candidate": "What do we do now?"

The Enigma of 'Quiz Show'

The movie was a hit with critics, and a dud at the box office. This week its back.

A film in release acquires a life of its own. Robert Redford's "Quiz Show" began as an event in September and ended the year as an enigma — one that puzzled even the film makers themselves. When the movie had been in theaters for only a few months, Hollywood Pictures pulled it.

But the studio is certain that "Quiz Show" will get Oscar nominations on Tuesday for best picture, best director (Robert Redford) and best adapted screenplay (Paul Attanasio). Whether the film gets those nominations or not, the next day "Quiz Show" will return to theaters, complete with a new television campaign and new print ads. The Walt Disney Company, Hollywood Pictures' parent, would not reveal the new print ads in advance, but it has been spreading the word that Mr. Redford has been nominated by the Director's Guild for best director and, in its television ads, has been describing the film as "much talked about."

The chronicle of Charles Van Doren (Ralph Fiennes), who destroyed a promising academic career when he cheated on "Twenty-One" in the 1950's, "Quiz Show" depicts a Faustian bargain in a media age. The film appeared on almost every critic's 10-best list for 1994. Confronting the issues of morality and liability, it is precisely the sort of film that everyone complains is not being made anymore. Yet the disappointing \$22 million that the \$28 million film took in at the box office placed it below such nonstarters as "The Shadow," "Richie Rich" and even the Danny DeVito-in-the-Army film "Renaissance Man." Overall, "Quiz Show" ranked 57th in earnings for the year, according to Exhibitor Relations, which monitors ticket sales for the studios.

As a result a small industry has sprung up to explain the movie's inability to find an audience. Some suggested that the problem was that "Quiz Show" was a period film with no sex. Or that Ralph Fiennes, despite his considerable charm and his Oscar nomination for "Schindler's

List," was no marquee name. Or that audiences would rather see any slapstick farce starring Jim Carrey. Or that the poster Mr. Redford conceived for the film in September, with its close-up of the back of Mr. Fiennes's head, didn't work.

Whatever the problem, it's unlikely that the film was helped by several articles accompanying its release claiming that "Quiz Show" took liberties with the truth, the same transgression the television industry commits in the film.

People close to Mr. Redford said he was distressed by the latter controversy. Perhaps not by accident there was a panel discussion this year at his Sundance Film Festival on "Film and History: Reanimating the Past." (Proposed: "When film recreates the past, the result is clearly an artistic and inventive production.") The sold-out discussion focused on films like "J.F.K." and "Matewan" and one panelist made passing reference to "Quiz Show." Mr. Redford did not attend.



Robert Redford directed "Quiz Show."

But movies become hits despite charges that they distort history ("J.F.K."), despite a lack of marquee names ("Four Weddings and a Funeral") and even despite their advertising campaigns ("The Mask"). Perhaps audiences were put off not by any of the above but by what was the movie's presumed strength: that it concerned a loss of innocence, the discovery back in the 50's that everything seen on television wasn't true.

Loss of innocence is, as Mr. Redford defined it, "an event that leaves us in a different place than we were before." The assassination of President Kennedy, Vietnam, Watergate

and Iran-Contra were all moments that divided the innocent before from the cynical after. Such events activate that part of the soul that prompted the young baseball fan to cry, "Say it ain't so, Joe."

Many films, including "All the President's Men" (which starred Mr. Redford and was produced by his Wildwood Enterprises), document those shifts in popular consciousness. But "All the President's Men" gave audiences an inescapable lesson of evil repudiated (Nixon's White House) and good triumphant. It corroborated what audiences wanted to believe. Released in 1976, the year voters ratified their faith in the value of innocence by electing Jimmy Carter, it was nominated for best picture and lost to "Rocky," a more primitive tale of innocence rewarded.

The reality in "Quiz Show" is trickier and less palatable. The handsome Charles Van Doren, the apparent embodiment of E. E. Cummings's line "more brave than me, more blond than you," is blessed with everything that intellect, luck and breeding can ascribe — except the ability to say no when it matters most.

As to why people were not drawn to see "Quiz Show," Mr. Redford said: "Either we don't want to face our loss of innocence, because it's asking us to admit we've lost one of our virtues. Or we don't want to face it because we're as shallow as people accuse us of being, and as spoiled. Or maybe it's too painful, and we don't have the experience of facing these things. And I don't know which it is."

Mr. Attanasio, the film's screenwriter, said, "What we attempted to do was criticize the culture, and that's never going to be terribly popular."

But Jeff Greenfield, a correspondent and news analyst for ABC, believes the problem is none of these things. "The problem may have been," he said, "that it did not seem like news. At the time it was a shock. But 30 years after Dallas, 25 years after Vietnam, with stories from O. J. to Michael Jackson, it registers zero on the Richter scale. To tell today's audience that powerful institutions and people lie is not compelling. It isn't that we fear confronting our loss of innocence. It's that it bores us."

The film may do better with European audiences. Mr. Redford recently presented "Quiz Show" in Paris to a wildly enthusiastic foreign press. This initially puzzled him. Then it made sense. "They have an easier time," he suggested, "dealing with our loss of innocence than we do."

BUREAUCRATICALLY SPEAKING

BY ALEX AND VICTORIA BLACK / EDITED BY WILL SHORTZ

ACROSS

- 1 Liquor shop order
- 5 Apple variety
- 10 Carson predecessor
- 14 Bag, in dialect
- 18 One of the Bowls
- 19 Exemplary
- 20 "— when?"
- 21 Final notice
- 22 Nest eggs, for short
- 23 Softly
- 24 Kind of dish
- 25 Give the slip to
- 26 Potholes
- 30 Makes one
- 31 Grays
- 32 Wine holder
- 33 Claims
- 36 Part of the familia
- 37 Addition to a letter
- 41 First name in hotelkeeping
- 42 Manicurist
- 46 Projecting angle
- 47 Lasso parts
- 49 Iota
- 50 Thunder Bay locale: Abbr.
- 51 Schoenberg's "— to Napoleon"
- 52 Engross
- 53 Exfoliate
- 54 Idiosyncrasy
- 56 Parachute attacks
- 61 Store fodder
- 62 Sushi offering
- 63 Shaky start?
- 67 Wristwatch
- 74 Orny fellow
- 76 Heart-to-heart
- 77 Indispensable
- 78 Literary initials
- 79 What "+" means: Abbr.
- 80 "Easy to Be Hard" musical
- 81 Webster, for one
- 83 Roman ethicist
- 84 Utility bill
- 88 Timekeeper, of sorts
- 89 Encroachments
- 90 — Brainard, the Absent-Minded Professor
- 91 Intellectualizes
- 93 Bus depot abbr.
- 94 Belt
- 96 Detects
- 98 Duet
- 105 Hatcher of "Leis & Clark"
- 106 False front
- 107 Hearing enabled
- 108 Plant pod
- 109 Cereal choice
- 110 Over
- 111 Admiral Byrd book
- 112 1967 folk album

- 13 Something to break into
- 14 Opposite of alway
- 15 Nudges
- 116 Individual figure

DOWN

- 1 Minimum wage
- 2 Goddess of gentle winds
- 3 Tito, e.g.
- 4 Right of passage
- 5 It comes as a shock
- 6 Activities
- 7 Early TV's "With Judy"
- 8 Repairs
- 9 Gin favoring
- 10 Slice
- 11 Pro's foes
- 12 Port north of Halifax
- 13 Create the wheel?
- 14 Tactful
- 15 Penetrating wind
- 16 1930 hit "The Waltz"
- 17 It starts in juan
- 20 Tap
- 21 Prefix with dose
- 26 Goes belly up
- 29 Muslim judge
- 33 Bookcase site
- 34 Heavy
- 35 Hardly partygoers
- 36 Secure
- 37 Kind of dog
- 38 Regulus's constellation, with the
- 39 Thin
- 40 Hill dweller
- 42 Author Behn
- 43 Spumante source
- 44 Juice server
- 45 "Good night, (old TV sign-off)"
- 47 Comparatively illogical
- 48 Follicles have them
- 52 Vexes
- 53 It gets a tanning
- 54 Pay obeisance
- 55 "The doctor —"
- 57 Rewards for waiting
- 58 Without water
- 59 French preservative
- 60 Sesame Street dweller
- 64 Prefix with sphere
- 65 Overcoat material
- 66 Bean and others
- 68 Bushels
- 69 Home to 19 Congressmen
- 70 Pusher's pursuer
- 71 Sculptor Mestrovic
- 72 Fly catcher
- 73 W.W.II area: Abbr.
- 74 40's boxer Billy

- 75 Word with friendly or foe
- 79 Iech Ming
- 80 #1 on a table
- 81 Physics particle
- 82 Flushed
- 83 Winter melons: Var.
- 85 Brisk, as business
- 86 Uniforms
- 87 Having a single foot
- 88 — State (David Letterman's alma mater)
- 91 Fresh
- 92 Escapes
- 94 Nasty
- 95 North Sea feeder
- 96 Warmest-over
- 97 Some Surrealist works
- 98 Pertaining to flight
- 99 Neighbor of Armenia
- 100 Ancient writing
- 101 Come by
- 102 Suit material, perhaps
- 103 Miss Cinders of old comics
- 104 Groove
- 105 Cable net

ANSWER TO PREVIOUS PUZZLE

BIBBED FLA ONE ASSA
ALLURE REMOVED STALEN
FLANSE STAFFING STAFF
STOPPING THE REAPLOVE
AIN ESC SUE LIFE
BLUEINTHEFACE ELY TRA
BOLES SILES BOA AWAB
ANALOG SIP PISTANADOK
SASS ALES PIED ESPRIT
ELE MARK EDITIONS
LUCHADOABODNOTHING
MARRAYOR ALSO CHE
ELAINE EATS RUSE ARCH
WINBYANOF NON BOKERO
EGUS ISN DELEE LYMAN
REG ITO ADAYINTHELIFE
OWER BEN YAO STY
REANETWEENTHELINES
EXTEND ADULTER SERIAL
HANTE FLEETLE TRONDE
LOODY TIR ODD SONNET

Jewish youth movements losing hold in US

MARILYN HENRY
NEW YORK

ADOLESCENCE may be the time to fall in love, but *ahavat Yisrael*—love of fellow Jews—is getting the cold shoulder from American Jewish teens.

The classic youth movements and Jewish youth organizations are attracting only a tiny proportion of youngsters; they are competing with an extravagant array of leisure and academic activities that are very tempting to teenagers.

Youth movements also have to contend with the current chaos plaguing American Jewry, which is struggling with the issue of its own survival, alarmed by the current rates of assimilation and intermarriage.

"Today the American [Jewish] community is more concerned with saving people as Jews, not as Zionists," says Lenny Kaplan, the emissary in New York for Bnei Akiva. This modern-Orthodox youth movement, which is celebrating its 60th anniversary in North America, is healthy, with about 15,000 members. It draws from a specific community that has eluded most of the secular seductions that are wreaking havoc with the identity of American Jews. "We are not out there to save Jewish souls," says Kaplan.

But it, too, faces problems. "Our message is that Zionism is an important factor in our lives as religious Jews. It's not easy; we are an added dimension" in teenage lives already filled with school and synagogue.

The secular Zionist movements, on the other hand, attract youngsters through parents who are movement veterans and word of mouth. In many cases, Habonim Dror, Hashomer Hatzair and other youth-movement families are entering their third generations.

But it is doubtful that the fervor of grandparents and parents—based on varying experiences of Israel and modern Jewish history—can be transmitted in a way that resonates for the children.

Instead, youth movements can flourish "in a '90s version," says Ken Bob in Plainview, New York, who served as Habonim national secretary in the mid-1970s and spent 14 years at Kibbutz Gezer. While societal issues have shifted, he says, "The '90s version is still trying to combine a Zionist identity with social vision."

"Why should we be different than Israel?" asked one Habonim veteran whose sons weren't keen to join a youth movement, and who insisted she would be too "embarrassed" to be named. "Zionism in Israel doesn't mean what it used to. I want to sing folk songs; they want heavy metal."

"What my kids have in common with other Jewish kids is MTV and video games, not ideology," she said. "If I want to give them a Jewish activity, my best chance is sports." Habonim Dror (the successor of Habonim, which is also celebrating 60 years in North America) now has about 2,000 members.

This represents an increase; one sign of improvement is that, this summer, the movement is reopening a camp in California that was closed eight years ago. The goals of the autonomous Labor Zionist youth movement, which is affiliated with the United Kibbutz Movement, have changed dramatically.

The main thrust of the movement used to be *aliya* to kibbutz, in line with the times before the establishment of the state. Then the emphasis was revised to *aliya*. And last year, the movement revamped its goals again, tacitly acknowledging the vigor of Diaspora life. "Aliya is central, but it's not the only goal," says Nisa Krongold-Schechtman, Habonim's financial director.



Counselors at a Hashomer Hatzair camp in Liberty, New York. Jewish leaders hope to 'combine a Zionist identity with social vision.' (Rachel Banai)

For the youth movements and youth organizations, it is hard to pry youngsters away from leisure activities. "Computer games, pottery, sports—that's the competition," Krongold-Schechtman says.

Geography also confounds efforts to draw in teens. Habonim chapters, for example, used to be centrally located in Jewish communities that, in many cases, are no longer so confined. Metropolitan life has taken a toll. As Jews moved out into the suburbs, travel became an issue. "If you have an hour commute to a three-hour program, parents might think it's not worth it," she says.

There is also a decline in the absolute and relative numbers of Jewish teens in America. Those aged 14 to 17 are now an

estimated 5 percent of the American Jewish population, less than half of what they were two decades ago.

There is a sense of urgency in reaching these youngsters, and the promotion of some kind of "Israel experience" is on the agenda of most American programs dealing with Jewish continuity.

Many of those programs are sponsored by synagogue-affiliated youth groups. The Orthodox, Conservative and Reform movements, each offering youth activities, fall into a gray area between the classic youth movements and youth organizations.

However, while these synagogue-affiliated groups have Israel components, Zionism is not primary. Instead, the focus

is on Judaism, however they choose to define it.

The largest Jewish youth organization in the US, the B'nai B'rith Youth Organization, does not focus on either Zionism or Judaism. It is a fraternal organization that has had more than a half-million members since it began 70 years ago in Omaha, Nebraska, and its alumni populate the American Jewish organizational world.

But this popular social organization has seen its membership drop from 45,000 some 20 years ago to about 20,000 today, according to Joe Wittenstein, associate international director of BBYO.

That drop cannot be attributed exclusively to the decline in the teenage population. In part, BBYO suffers from the same competition plaguing the youth movements.

And, in part, the specific attraction of BBYO has been overcome by changes in American society. It is no longer needed as a refuge from the slights of antisemitism that once pervaded American social institutions and made them off-limits to Jews.

Nonetheless, Wittenstein calls Jewish teenagers "a lost group," saying: "These kids are not being served. If BBYO is the largest [organization], and we are only serving 20,000...." He believes that the decline in BBYO membership has leveled off. The organization has revised its programming to become more "sophisticated"—and its activities include a national basketball tournament, "Holocaust expression" theater, sending a contingent of hundreds of teens to the "March of the Living" commemorations, and holding international conventions.

The biggest challenge, said Bnei Akiva's Kaplan, "is convincing kids that there is a worthwhile reason to be affiliated with a youth movement."

UN report: Less food in the future

EARTHLY CONCERNS
D'VORA BEN SHAUL

THE world's population is estimated at 5.3 billion, but by the year 2025, just 30 years from now, it is expected to reach a staggering 8.5b.

Even this estimate, the UN Population Fund's 1994 report says, is conservative, based on increased use of contraceptives in underdeveloped areas.

But if the rate of contraception does not rise, there may be 12.5b. people by the mid-21st century.

Will there be enough food to feed even the lower population? The prestigious Worldwatch Institute says there won't be. According to a recent institute report, the rapid rise in agricultural productivity over the past several decades, caused by the introduction of modern farming techniques to vast areas of the world, is leveling off.

"The world is very close to reaching its carrying capacity," says institute president Lester Brown.

Japanese farmers, some of agriculture's most skilled technicians, have not managed to increase yield rates in over a decade, nor have most US or Canadian farmers. In addition, less land is available for agriculture as burgeoning populations and rapid industrialization occupy more space.

The sea, once seen as a possible food source for billions, is being depleted, says the report, and catches are drastically lower than even a decade ago. Overfishing and pollution have taken their toll, and many species of fish and edible mollusks are in danger of extinction. Sea catches, which reached a peak of 100 million tons in 1990, have declined to about 80m. tons today.

Peak production of grain per person worldwide has also passed. In 1983, the world produced 346 kilograms of grain per capita, but by 1994 it had fallen to 303 kilograms; by 2030 it will probably drop to 240 kilograms. This is marginally more than the 200 kilograms per person that sustains the population of the Indian subcontinent. It is also drastically less than the 800 kilograms per person consumed in the US, where a large portion of these cereal products go into meat production.

The expected shortage of food will drive world prices up, says Worldwatch, and while this will help stop overconsumption in the wealthy nations it means that more people in other places will be left with a starvation diet.

Worldwatch has asked for a worldwide outlay of \$60 billion a year to promote the use of birth control, in an attempt to stem the population deluge.

"It's a lot of money," says Brown, "but the US military intelligence budget alone is \$30 billion. We just have to get our priorities straight."

Court allows restrictions on erotic phone services

LAW REPORT
ASHER FELIX LANDAU

In the Supreme Court, sitting as a High Court of Justice, before justices Gavriel Bach, Theodore Orr and Ya'acov Kedmi, in the matter of Telad Telephone Information Services Ltd., and another, petitioners, versus the Communications Ministry and others, respondents (H.C.6481/94).

THE Communications Ministry issued "temporary experimental" licenses to the petitioners to supply vocal information services by telephone. The information services have phone numbers starting with 056.

The services are divided into two main categories: general information, such as weather reports, and entertainment. The principal and most popular feature in the latter category is known as "erotic conversations."

The "conversations" depict various sexual situations. The listener may also request an "interactive" conversation in which he speaks with one or more live partners.

Under the original arrangement the services could be reached from any telephone. However, a subscriber could be disconnected on request without charge.

In a short time, hundreds of thousands of subscribers a month used the services, particularly those in the "erotic conversations" category, while Bezeq and the ministry were besieged with

tens of thousands of serious complaints. The communications minister then decided, in December 1993, to appoint a three-member public commission, headed by Prof. Uriel Procaccia, to investigate the problems which arose.

Following the commission's recommendations, Communications Minister Shulamit Aloni issued the Bezeq Regulations (Installation, Operation and Maintenance) (Amendment) of 1994, limiting the use of the number 056.

The suppliers of the entertainment service then petitioned the Supreme Court, sitting as a High Court of Justice, to set the regulations aside.

JUSTICE BACH delivered the judgment of the court. After reciting the relevant facts he dealt with the commission's report.

A number of complainants were worried parents. Relying on expert opinion, the commission found that the children's exposure to the pornography provided could negatively influence their sexual development, causing them irreversible harm.

The danger lay in depicting sexual contact as a technical process without emotion. The woman was degraded as an object to serve the man's lust, and the man was degraded as being responsible for the woman's dehumanization.

Another finding, he continued, related to the widespread theft of 056 calls by household help, employees and other unauthorized persons who enjoyed them without the subscribers' knowledge and against their wishes.

The calls were unusually long, costing considerably more than ordinary interurban calls. Moreover, many subscribers refused to pay the bill, with the usual disagreeable consequences.

The last feature was compounded by employees of the suppliers making the calls longer than necessary, thus inflating the cost even more.

The complainants included the suppliers of general public information, who alleged that their service too had suffered as a result of the bad name caused by the "entertainment services."

The commission found that the above features had caused widespread protests throughout the country, leading to the creation of a nonprofit society to represent the complainants.

It had heard the society's representatives, and was satisfied that its complaints were genuine. It also found that the "entertainment services" were harming the general information services.

The commission, Justice Bach

said, rejected such drastic steps as prosecutions or censorship to solve the problems. It proposed that the services with the 056 prefix be available only for subscribers who request access in writing.

Meanwhile, general information services would be given a different prefix, starting with 05, which would be automatically available to the general public and could be stopped on request.

Save for some technical details and changing the number for general information services to 057, the minister accepted the commission's recommendations. On November 20, 1994, she issued the regulations which were published and took effect that day.

The petitioners, he said, had submitted that limiting the 056 service only to subscribers requesting it was unreasonable and unjust. The service would be destroyed for the majority of its users would be ashamed to apply in writing for its use.

Moreover, the regulations created unfair discrimination between the 056 lines and telephone lines in general, particularly those carrying the general information service.

They also argued that the regulations infringed their basic right of occupation. Restricting the use

of 056 would also lead to an increased use of international calls for similar services, including those to America (001), which would replace 056. This was unreasonable and unacceptable.

The petitioners' grounds, said Justice Bach, were insufficient to justify the relief claimed. There was no apparent unreasonableness in the regulations, which were based on the recommendations of a public commission.

Furthermore, the Knesset Economics Committee had approved the regulations under section 12(a) of the Telecommunications Law of 1982, after full discussion and hearing the parties concerned. The court had already held that it would intervene in Knesset committees' decisions only in exceptional cases involving capricious and invalid considerations. This was not such a case.

The court was also aware that the petitioners' licenses were temporary and limited in time, and that the ministry was entitled to change the conditions as it saw fit.

The petitioners' services, including the erotic conversations, were not forbidden but only limited to voluntary subscribers. Their right to supply the service, therefore, was not damaged. The court was also informed that there were other services limited in the same way.

Even if some phone subscri-

ers were ashamed to request the service, it did not invalidate the regulations.

The ministry had not received complaints about a similar service being secured through international calls.

One suggested reason could be that such calls were more easily traced than local calls, and were therefore more difficult to steal successfully. In any case, the ministry would deal with that problem when it arose.

In conclusion, Justice Bach held that even if the regulations could cause the petitioners some harm, the ministry was obliged to solve the serious problems which arose.

Since the regulations only limited the petitioners' activities and did not forbid them, the minister had not exceeded reasonable bounds.

FOR THE above reasons the petition was dismissed, with no order as to costs.

Ya'acov Amster appeared for the petitioners, and Yehuda Shefer and Nitza Kraus appeared for the respondents. The reasons for judgment were handed down on February 5, 1995.

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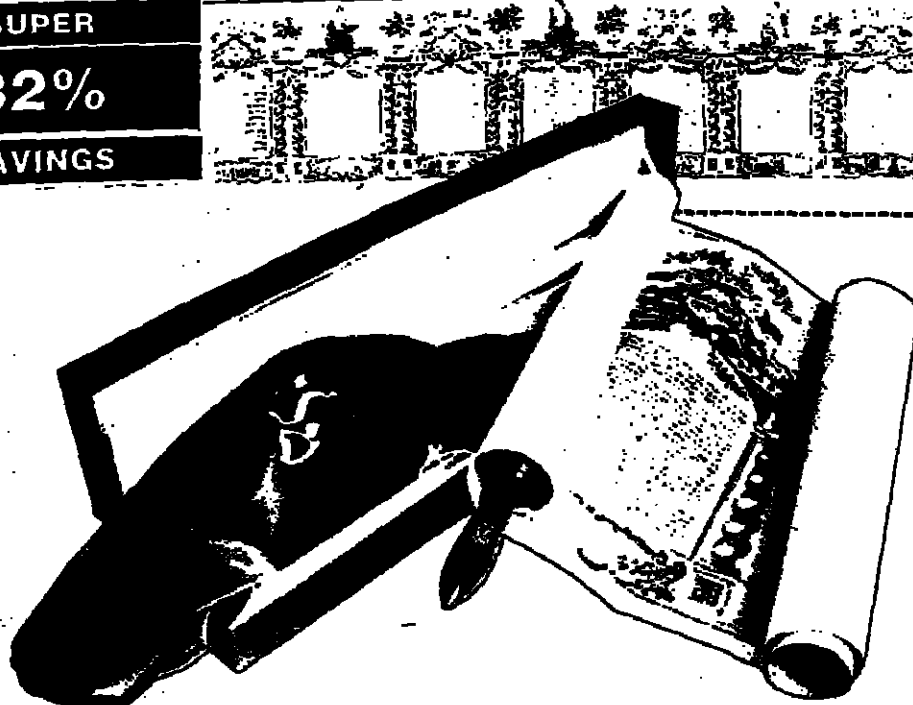
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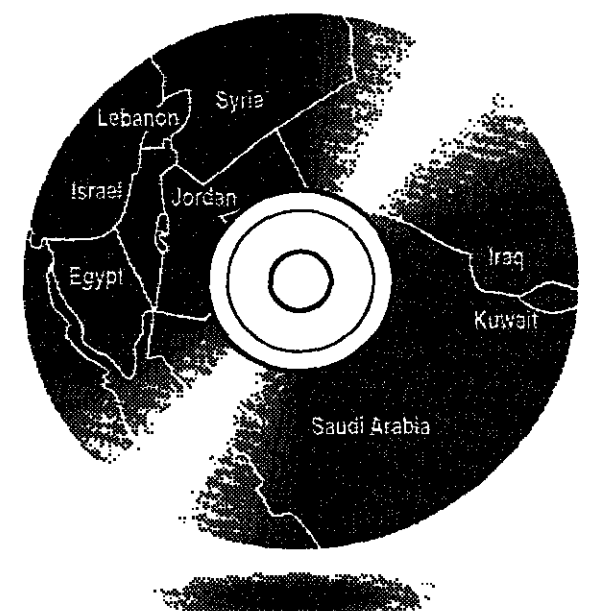
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BUSINESS & FINANCE

MONDAY, FEBRUARY 13, 1995

Provident, training fund assets plummet

PROVIDENT and training fund assets fell NIS 541.5 million last month, as poor yields had savers leaving them in droves, the Treasury reported yesterday.

By contrast, the assured return on index-linked bank savings programs pushed up total bank savings by NIS 810m. in January.

Provident fund assets dropped NIS 577m., as savers deposited NIS 449m. and redeemed NIS 1,027 billion.

On the other hand, training fund assets increased NIS 36m.

Index-linked savings attracted NIS 915m. in deposits, while foreign currency-linked savings assets continued dropping, as an overvalued shekel led to NIS 105m. in redemptions.

JOSE ROSENFELD and GALIT LIPKIS BECK

Among the share funds, Bank Hapoalim's Teutza achieved a negative nominal yield of 0.6 percent in January, while United Mizrahi Bank's Haniat Shares fund reported a nominal negative yield of 0.64%.

In addition, United Mizrahi Bank's Shomron registered a negative yield of 0.2% and Orit completed January with a negative nominal yield of 0.24%.

First International Bank's Teutza fund, which ended January with a positive nominal yield of 0.3%, was the only share fund to achieve a positive yield for last month.

Bank Hapoalim's Gadish, the nation's largest fund, achieved a real yield of 0.2% at the end of January.

Gadish manages assets of about NIS 13b.

The bank's other funds achieved the following yields:

Bank Hapoalim: Compensation 0.3%; Keren Or 0.2%; Katzir 0.2%; and Redundancy Compensation 0.4%.

United Mizrahi Bank's Atid, 0.3%; Lior, 0.35%; Tiferet, 0.29%; and Compensation fund, 0.4%.

First International Bank's largest fund, Mativ, 0.35%; Alidut, 0.3%; Ha'melacha 0.51%; Keren Pascha, 0.27%; and P. International, 0.36%.

Frenkel meets Sanbar today

Bank of Israel governor expected to ask Leumi head to leave earlier

NEIL COHEN and EVELYN GORDON

BANK of Israel Governor Jacob Frenkel is expected to ask Bank Leumi chairman Moshe Sanbar in a meeting today to bring forward his resignation from Leumi's board.

However, senior sources at the Bank of Israel indicated this was not the only possible outcome of the meeting.

Sanbar met Finance Minister Avraham Shohat on Thursday. Although, they refused to comment on what transpired, it is believed Sanbar's accelerated departure from the board was the central topic of discussion.

Last week, Sanbar said he would not seek reelection to the board when his current term ends. Sanbar also quit last week the chair of Africa-Israel, Le-

umi's real estate subsidiary, following revelations he bought four apartments at a discount from Africa Israel.

Frenkel and Shohat reportedly want Sanbar to leave the board as soon as possible so the process of selling the bank can be accelerated.

MK Dan Tichon said yesterday he received an anonymous letter claiming that many more than 12 apartments were sold at a discount to Africa-Israel directors and their family members.

In response, Africa Israel vice president Shimon Harel said the company stands by every word published in its November 11, 1994, prospectus that 12

tenure as Leumi chairman from committee chairman Gedalya Gal and others.

Tichon said the protocols of the meeting have been sent to the Treasury, the Securities Authority and the Bank of Israel for them to act upon.

Supervisor of Banks Ze'ev Abeles is investigating the matter, Tichon added.

In other Bank Leumi news, the workers committee threatened to go on strike over their objections to the government's plans to sell controlling interest in Bank Leumi to banker Edmond Safra.

The workers said Safra's representative in Israel is ignoring them, despite their significant contribution to the bank.

Striking workers close Discount Bank today

GALIT LIPKIS BECK

ALL Israel Discount Bank branches will be closed today, despite management's last-minute efforts to prevent a strike.

The bank's workers committee representatives said they are angry about management's alleged failure to reach a wage agreement for 1994.

The workers said management has offered them a very small pay raise, which will lead to an erosion in wages in real terms.

Discount Bank's management deny the workers accusations.

"The workers committee has decided to call a one-day strike, despite our efforts and negotiations," said management in a press release. "In the framework of the negotiations, we not only promised to maintain workers real wages, which are among the highest in the banking sector, but also offered to give them a raise. For this reason, management sees no reasons for a wage dispute."

Management said negotiations on the final wage agreement started less than a month ago - on January 16.

The workers committee said Discount Bank workers are the only ones in the economy without a wage agreement for 1994.

Carmel Carpets liquidators not allowed to question Shapira

GALIT LIPKIS BECK

THE Tel Aviv District Court yesterday rejected a request by Carmel Carpets liquidators to bring the Shapira family to a hearing.

The liquidators wanted the court to ask MK Avraham Shapira (Agudat Yisrael) and his wife - former owners of Carmel Carpets - if they illegally received assets from the conglomerate and to have the court order them to submit a declaration of their assets and capital.

Attorney Yossef Cohen, one of Carmel Carpets' two liquidators, accused Shapira of misleading the official receiver's investigation of the episode.

According to Cohen, Shapira "forgot" to inform the official receiver that he owns Textile House, a building in Tel Aviv valued at millions of dollars.

In addition, Cohen said Tova Shapira, the wife of Shapira, illegally took thousands of shekels from the company.

Judge Yeshai Levit denied the liquidators' request, saying there is insufficient evidence to approve a hearing of this kind.

Levit said he also accepts "the argument that the purpose of the investigation is first and foremost to enable the liquidators to gather information they are lacking on the assets belonging to the company in receivership."



Avraham Shapira: Doesn't have to appear in court hearing. (Israel Sam)

Israel Chemical workers demand management begin talks on protecting their rights under privatization

IN an emergency meeting of some 800 Israel Chemical employees in Dimona, the workers demanded that ICL management protect their rights under privatization and immediately begin negotiations on the matter.

Those at the meeting included the heads of various workers committee, secretaries of several

labor councils in the South, Dimona Mayor Gabi Lalouch, Arad Mayor Bezael Tabib, and MK Shmuel Avital, who chairs the Knesset Negev caucus.

Among those addressing the gathering was Shimon Saban, head of the workers' committee at Rotem-Ampert, an ICL subsidiary, whose workers have been

AMIR ROZENBLIT

on strike for two weeks.

Saban said that at a meeting with workers representatives held Friday with ICL Chairman Victor Medina and Finance Minister Avraham Shohat, Medina said each subsidiary had already drawn up lists of workers who

were candidates for dismissal.

However, he said the dismissals had not yet been carried out to prevent conflicts with the works committees. Another works committee head, Amnon Shavit of Bromide Compounds, confirmed Saban's statements.

He said Medina spoke of "lists of dismissals that each [company]

management has, but that only a private investor will be able to carry out."

Medina yesterday denied the statements attributed to him.

Avital demanded the resignation of Medina and called on Shohat to delay the privatization of ICL until all the negotiations with the workers are completed.

Co-Op Zafon buys 50% of Metro branch

GALIT LIPKIS BECK

CO-OP Zafon has purchased 50 percent of Metro Cash & Carry Israel.

The company did not reveal details of the transaction.

The South African Metro chain has hundreds of branches worldwide.

The bank's two branches here are each situated on a 3,500 square meter plot, one in Haifa and the other in Ramat Gan.

Co-Op Zafon general manager Doron Kashuv said the purchase is in the framework of management's plans to expand Co-Op operations into the retail field and its operations to the central part of the country.

Co-Op north operates 55 branches in the north of the country.

El-Op workers protest in TA

RACHEL NEIMAN

EL-OP workers staged a protest in front of the Dan Hotel in Tel Aviv yesterday after management shut down the company's Ness Ziona plant last week.

The Dan is owned by the Federman group, which also owns El-Op. The gathering, which included four busloads of workers, was held without a permit and was quickly dispersed by police.

"We have no objections to the workers' actions and told them next time to take out a permit," said Haim Fruchs of the Ness Ziona Histadrut. "Next time we will protest in front of all his hotels - he has enough of them."

Management said it wants a new collective agreement, which would grant more "managerial flexibility and the right to sign personal contracts, similar to the deal signed by the Employers Association and the Histadrut."

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ISRAEL DISCOUNT BANK

ISRAEL MONEY MARKETS

Patch (foreign currency deposit rates) (13.2.95)			
Currency (deposit for)	3 MONTHS	6 MONTHS	12 MONTHS
U.S. dollar (USD100,000)	5.376	5.500	5.375
French franc (FF100,000)	4.750	5.125	5.675
German mark (DM 200,000)	3.500	3.750	4.375
Swiss franc (SF 200,000)	2.625	2.875	3.375
Yen (¥1 million year)	0.750	0.625	1.000

(rates vary higher or lower than indicated according to deposit)

Shekel Foreign Exchange Rates* (10.2.95)			
CHECKS AND TRANSFERS		BANKNOTES	
Currency basket	Buy	Buy	Rep.
U.S. dollar	3.5570	3.4250	3.3855
German mark	1.9619	1.9888	1.9740
French franc	4.9567	4.7325	4.78
Japanese yen (100)	3.0329	3.0767	4.7079
Dutch florin	1.7317	1.7794	0.9717
Swiss franc	2.3219	2.3546	2.3538
Swedish krona	0.4338	0.4455	0.41
Norwegian krona	0.4483	0.4540	0.4254
Denmark krone	0.4694	0.4824	0.4821
Finland mark	0.0385	0.0473	0.04
Canadian dollar	2.1394	2.1488	0.5024
Australian dollar	2.2336	2.2953	2.1436
S. African rand	0.0447	0.0570	0.05
Belgian franc (10)	0.0526	0.0556	0.0520
Austrian schilling (10)	2.7879	2.8273	0.9816
Italian lire (1000)	1.9554	1.9818	1.9117
Japanese yen (1000)	—	—	1.8297
Spanish peseta (100)	—	—	4.2487
ECU	3.7016	3.7339	0.9226
West punt	4.2658	4.7225	3.7327
Spanish peseta (100)	2.2765	2.3360	2.2958

* These rates vary according to bank. ** Bank of Israel.

SOURCE: BANK LEUMI

Toyota profits surge

TOKYO (Reuters) - Toyota, Ja-

Maxwell pension fund settlement reported

Lehman Brothers, one of the institutions that had been holding disputed pension funds, said in a statement that it had been one of the parties to contribute to the settlement, although it admitted no liability or wrongdoing.

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March futures closed up 3/4 at

March futures ended 0.46 cents weaker at 90.99 cents a pound.
CSCE World Sugar ended nar-

*Courtesy of Michael Zwebner,
Commstock Trading Ltd.*

Toyota's net income after tax rose by more than 70% to 68.53 billion yen (\$692 million). "In the last half-year, we saw

Seiichi Iwasawa, a senior an-

The automaker's sales in the six months to December were up 2.1% to 4.07 trillion yen (\$41.1b.) from a year earlier. The company is expecting sales in the nine months to March 31, 1995 to be 6.2 trillion yen (\$62.6b.).

Market bounces back on meager trading

Multi-sided tra

TEL AVIV STOCKS



There was no significant movement on the mutual funds front. Since there were neither redemp-

This would be interpreted (wrongly) as an end to the inflationary pressures.


Redemption Price: 95.97	Redemption Price: 131.12
leumi pia לְאוֹמֵי כִּיָּא	leumi pia לְאוֹמֵי כִּיָּא

CORRECTION

There was an error in our notice of Tuesday, February 7, 1995, advertising this tender. This tender is for the

supply of lighting mast systems only, and not for erection, as stated in error.

Ben-Zion Moradov, Chairman




Drive slower!

PRIME פריים Mutual Fund for Foreign Residents	טרגט (מטרה) TARGET Mutual Fund for Foreign Residents
Date: 9.2.95	Date: 9.2.95
Purchase Price: 97.44	Purchase Price: 133.26
Redemption Price: 95.97	Redemption Price: 131.12
leumi pia לעומי פיא	leumi pia לעומי פיא

MEY-EZOR-DAN
Agricultural Cooperative Water Society Ltd.
 Tender 425/MED/96
 for the supply of High Mast (30 m.) Lighting Systems
 for Soreq Biological Plant - Phase B
CORRECTION

There was an error in our notice of Tuesday, February 7, 1995, advertising this tender. This tender is for the supply of lighting mast systems-only, and not for erection, as stated in error.

Ben-Zion Moradov, Chairman



Drive slower!

Jordan integral part of Eilat windsurfing tourney

ORI LEWIS

PEACE is the motto of the 10th Academic Sports Association's (ASA) Boardsailing Championship to be held in Eilat next month, with Jordan taking part for the first time.

Some 150 windsurfers from 10 countries are expected for the four-day event which is to be held between March 6 and 9 and will include competition in three separate surfboard categories, Mistral - the Olympic category - and Raceboard and Fun categories. A grand total of NIS 30,000 is on offer to the winners.

Israel's Olympic surfer, Amit Inbar will be joined by some of his main adversaries in international competition, including Austria's Chris Sieber and Timmy Stadde of Germany. Among the women, Olympic bronze medalist in Barcelona, Dorien de Uries of the Netherlands, France's Maude Herbert, a gold medalist at last year's world championships and Mistral world junior champion, Dorota Staszewska of Poland, will be vying for top honors.

All of Israel's top windsurfers will be taking part, including Amir Levinson, Gal Friedman and women's champion, Michal Hein.

Simon Khoury, chairman of the Royal Jordanian Water Sports Federation was guest of honor at a press conference to announce the event in Tel Aviv yesterday.

Khoury said that the peace process, still in its infancy, had still to make an impact on Jordanian windsurfers, although he was optimistic for the future.

Israel and Jordan have already held a joint sailing and waterski meeting in the Gulf of Eilat, but this was not a competitive event.

Several Jordanian windsurfers will be taking part in the ASA Championships, although Khoury said modestly that they still had a lot to learn in this field as windsurfing is a fairly new event in Jordan.

"At last we can hope of having the opportunity of not having to stop at the border, or fear being turned back by the other side. Sailors will be able to use the excellent conditions in the Gulf to their maximum," Khoury said.

Aharon Botzer, chairman of the Israel Yachting Association, offered Khoury assistance in organization and in trying to help Jordan improve its sailing and said he hopes Israel and Jordan will be able to organize a joint world championship before the year 2000.

"Now that the border is open, there should be no trouble in staging such an event here, but we have to hurry because the calendar is very tight," Botzer said.

The event opens with the Israel Peace Race on March 6. Several of the races will either start or end in Jordan.

Pens going for best start record

PITTSBURGH - Jaromir Jagr scored twice and Ken Wregget made 31 saves as the red hot Pittsburgh Penguins Saturday closed in on the National Hockey League record for the longest unbeaten streak at the start of a season.

Ron Francis set up both of Jagr's goals in a 3-1 victory over the Montreal Canadiens that extended Pittsburgh's season-opening unbeaten streak to 11 games.

The 10-0-1 start for the Penguins is four games short of the NHL record set by the Edmonton Oilers, who opened the 1984-85 season with a 12-0-3 mark.

Jagr's second goal, an empty netter with 40 seconds left, moved him into a tie with Detroit's Ray Sheppard for the league lead with 10 goals.

"It is excellent, fun for our fans, fun for our team. I like the way we are playing," said Jagr.

Rangers 3, Lightning 2
Steve Larmer and Sergei Nemchinov scored 21 seconds apart in the second period to give visiting New York victory over Tampa Bay despite getting off only 15 shots.

With Tampa Bay holding a 3-1 lead, Larmer skated over the Lightning blue line and launched a slap shot that beat Lightning goaltender Daren Puppa to even the score 50 seconds into the second. Nemchinov then scored his second goal of the night when he flipped a pass in front of the net that hit Puppa and bounced in at 1:11.

Islanders 2, Sabres 1
Jamie McLennan stopped 26 shots, and goals by Ray Ferraro and Troy Loney helped the Islanders snap a three-game losing streak.

McLennan's best save came midway through the scoreless third period, when he robbed Yuri Klimyev with a left kick save.

Kings 5, Maple Leafs 2
Kelly Hrudey made 41 saves, leading Los Angeles to victory over the Toronto Maple Leafs.



PLUGGING THE HOLES - Montreal Canadiens goalie Patrick Roy stops Pittsburgh's Jaromir Jagr from stuffing the puck into the corner of the net Saturday. (AP)

Kevin Todd, Robert Lang, Rick Tocchet, Michel Petit and Tony Granato scored for the Kings (3-5-2), who won on the road for the first time this season. Left wing Jari Kurri collected an assist on Granato's goal in his 1,000th NHL game.

Dave Andreychuk and Mike Eastwood scored for the Maple Leafs (5-5-3).

Bruins 1, Capitals 1
Vincent Riendeau stopped all 10 shots he faced after Blake Lacher went out with an injury and Dave Reid scored for Boston as the host Bruins and Capitals played to a tie.

Riendeau, who has lost both games he started, replaced Lacher 1:17 into the second period when the Bruins' rookie hurt his right hamstring in a collision with Washington's Rob Pearson.

Lacher had stopped 13 of 14 shots.
Flyers 3, Devils 1
Brent Fedyk scored the tie-breaking goal 31 seconds into the third period and Dominic Rousell made 25 saves. (Reuter, AP)

EASTERN CONFERENCE

Atlantic Division	W	L	T	Pts	GF	GA
N.Y. Islanders	5	5	1	11	30	28
N.Y. Rangers	5	6	1	11	30	31
Tampa Bay	5	6	1	11	32	37
Philadelphia	4	7	1	9	25	35
New Jersey	3	8	2	8	19	24
Washington	2	8	2	6	17	25

Northwest Division	W	L	T	Pts	GF	GA
Pittsburgh	10	1	1	21	51	30
Quebec	10	1	0	20	49	20
Boston	6	3	1	13	31	23
Buffalo	5	4	1	11	22	23
Montreal	4	4	2	10	28	27
Winnipeg	2	7	2	6	25	39
Ottawa	1	8	2	4	25	39

WESTERN CONFERENCE

Central Division	W	L	T	Pts	GF	GA
Chicago	8	3	0	16	48	28
Detroit	7	4	0	14	43	33
St. Louis	6	4	1	13	46	38
Toronto	5	5	3	13	39	33
Winnipeg	3	8	3	9	34	43
Dallas	3	5	2	8	29	29

Pacific Division	W	L	T	Pts	GF	GA
Calgary	6	4	1	13	39	27
San Jose	5	4	2	12	34	33
Edmonton	5	5	2	12	32	41
Anaheim	4	7	0	8	24	46
Los Angeles	3	5	2	8	32	35
Vancouver	2	4	4	6	28	40

Blackburn back on top

LONDON (AP) - Alan Shearer's 28th goal of the season and all-action performance by Blackburn sent Rovers back to the top of the Premier League yesterday with a 3-1 victory over Sheffield Wednesday.

Peter Thorne scored twice as Swindon gained a come-from-behind 2-1 victory over Bolton in the first leg of a League Cup semifinal.

And in Scottish Premier Division action, titlist Rangers tumbled 2-0 at struggling Aberdeen and missed a chance to move 17 points clear atop the standings. It was Rangers first league defeat in 16 games.

After Manchester United's 3-0 victory at Manchester City Saturday, Blackburn needed at least a tie with Wednesday to regain its place at the top.

It went all out for victory however and set up a series of chances before Tim Sherwood fired home from 25 yards in the 26th minute.

Wednesday, under pressure from the start, broke out to equalize in the 32nd minute when veteran winger Chris Waddle collected a pass from John Sheridan and fired home from 12 yards.

Three minutes later Rovers regained the lead when Paul Warhurst hit the Wednesday post.

Shearer pulled the ball back across goal and Mark Atkins was there to force it home from close range.

Wednesday was down to 10 players from the 44th minute when goalkeeper Kevin Pressman was expelled for blocking a shot with his hands outside his penalty area and replacement goalkeeper Chris Woods, a former England international, was beaten in the second half when Shearer scored the clincher in the 66th minute.

Blackburn now has a two-point lead over United with Newcastle the third place team, 11 points off the lead.

Swindon and Bolton, both from Division One, met at the County Ground where the visitor took the lead through Alan Stubbs in the 10th minute and threatened to overwhelm the home team right away.

But Swindon, which won the League Cup as a third division team in 1969 when it upset mighty Arsenal, hit back and Thorne leveled seven minutes before halftime.

YESTERDAY'S RESULTS: Premier League - Blackburn 3, Sheffield Wednesday 1. League Cup (semifinal, first leg) - Swindon 2, Bolton 1. Scottish Premier Division - Aberdeen 2, Rangers 0.

Heat wave blazes on All-Star Saturday

PHOENIX (AP) - After Glen Rice swished 'em, teammate Harold Miner slammed 'em.

On the NBA's annual day of hype and music known as All-Star Saturday, Miami players swept the skills competition. Rice beat Reggie Miller in the long-distance shootout, then Miner won his second slam dunk championship after missing last season's contest with an injury.

The Heat may be one of the league's worst teams, but Miner and Rice showed their entertainment value. Rice warmed up with his first 3-point shot, then Miner provided the only sparks of the day with his power dunks.

The rookie game showed off the league's new talent and the shootout was close, but the crowd at America West Arena didn't really get going until Miner started doing his thing.

The best of his muscular dunks was one in which he approached the basket from the left side, spun 180 degrees, lowered the ball to his knees and slammed it backward through the basket.

His second move was a flying left-handed jam, and he completed his routine with a 360-degree spin and slam.

With rap music as the background, Miner's acrobatics made this one a no-contest. Last year's winner, Minnesota's Isaiah Rider, missed two of his four at-

All-Stars on TV

Sports Channel 5 will show highlights of last night's NBA All-Star game tonight at 6:30 and 11:30 pm.

tempts in the finals while Miner hit three of four.

Miner scored 49.2 of a possible 50 points in the first round and had 46 points in the final against Rider and Utah Jazz rookie Jamie Watson.

In winning the shootout in his second appearance in the contest, Rice beat the flashy favorite.

Rice, who has made 43.9 percent of his 3-pointers this season, was the last of four qualifiers after the first round. He scored 14 points, while Charlotte's Scott Burrell had 19, Miller 17 and San Antonio's Chuck Person 15.

None of the shooters in the 3-point contest took full advantage of the new 22-foot distance.

Herzliya shoots past battered Galil

JOEL GORDIN and RICHARD ZAACKS

IT was a topsy-turvy night of surprises in the National Basketball League last night, when Maccabi Jerusalem trounced Hapoel Holon, Hapoel Givatayim shocked Hapoel Jerusalem and Hapoel Haifa took Maccabi Rishon LeZion to overtime.

In the main game, Bnei Herzliya gained a valuable two points, beating Hapoel Galil Elyon 92-87 at Herzliya after holding out against a fiery second-half counterattack.

Herzliya really won the game in the first minutes when it surged ahead to a massive 32-17 lead, taking advantage of huge holes in the Galil defense. Another reason for Galil's early demise was the poor form of playmaker Oded Katash who was securely guarded by his opposite number, Rotem Ehrlich.

Galil slowly recovered as the game carried on and by halftime had trimmed Herzliya's lead to 50-41.

In the second half, Katash helped Danyan Daye put on a magnificent shooting display to very nearly carry the visitors to victory. However, the difference was just too much to make up and the Herzliya defensive line held fast to scrape out a narrow win.

The top scorers on the court were Herzliya's John Hudson and Galil's Daye, each with 23.

Maccabi Jerusalem 181, Hapoel Holon 79. Only three weeks ago, the delighted Holon fans were calling their new coach, Ralph Klein "the wizard," after he took the club to six wins in succession, including one over Maccabi Tel Aviv.

Klein's magic wand seems to have run out of power. In Jerusalem, the star-studded team made all the mistakes they had during the first disappointing games - uncoordinated attacks with each player going his own way, and not a trace of a decent defense.

However, that should not detract from the feisty home team's great game. Four players were dominant: Joe Dawson (24 points), Shawn Green (21), Eli Bial (20) and Gilad Simoni (14).

Holon actually started well and led by 12 points, later by 22-16. Then the team went to pieces. Jerusalem led

50-46 at halftime and broke away. For Holon, only Shelton Jones was up to scratch, until he ran into foul trouble in the second half. David Thordhill, Adi Gordon and Tomer Steinhauser were all simply not in the game.

Mac Rishon 103, Hap Haifa 99. Rishon came north expecting a cakewalk over the debt-ridden team which is still playing without any Americans.

But Rishon was given a thorough run around by the three blue & white Haifaites, Lavi Gordon (30 points), Shimon Amsalem (22) and Danny Alon (15).

Haifa led 48-47 at halftime. After the break, a spirited display by Tomer Karni took Rishon back into the game and the team managed to force a 94-94 tie at the end.

During overtime, Haifa had to play without Amsalem who was fouled out, and they simply could not match James Gully and Gerard Padilla under the boards.

Karni scored 24 for Rishon. Hap Givatayim 95, Hap Jerusalem 84. Givatayim opened the game taking a big lead that mushroomed to 27-17 after just 10 minutes. But Jerusalem got back into the game and tied the score at 32-32 with four minutes to go in the first half. The halftime score was 46-43 for Givatayim.

The second half was the same story. Givatayim built a strong lead over its adversaries only this time it didn't let up.

For Givatayim, Dudi Adler was the best player of the game with 22 points, followed by Yuval Ashkenazi with 25 and Amos Frishman with 23.

Hap Tel Aviv 85, Ramat Gan 85. Ramat Gan's J.J. Eubanks scored his usual quota of points (34) and Lamont Strubbers made 14.

Tel Aviv's Milton Wagner made 28, Buck Johnson 24 and Lior Arditi 20.

The 21st round continues tonight when Maccabi Tel Aviv travels to Eilat to take on the team in a duel to be shown live on Cable TV. In the second game, Betar Ramat Gan hosts Hapoel Galil.

National Basketball League

	W	L	Pts.
1. Maccabi Tel Aviv	18	2	38
2. Maccabi Rishon	15	0	35
3. Hapoel Galil	14	7	35
4. Hapoel Haifa	13	7	34
5. Hapoel Eilat	13	8	34
6. Hapoel Givatayim	12	6	32
7. Hapoel Jerusalem	11	10	32
8. Maccabi Ramat Gan	8	13	29
9. Hapoel Holon	7	15	27
10. Hapoel Tel Aviv	6	14	26
11. Hapoel Be'er Sheva	6	14	26
12. Hapoel Ashdod	4	17	20
13. Hapoel Netanya	4	17	20
14. Hapoel Ramat Gan	0	20	0

SPORTS BRIEFS

Walsh humbles New Zealand

West Indies captain Courtney Walsh destroyed New Zealand's first innings with his best Test performance of seven for 37, then made the Kiwis follow on a massive 444 runs behind on the third day of the second cricket Test in Wellington yesterday.

Walsh then bowled Bryan Young for a duck in the first over of the second innings to collect his 250th Test wicket. (Reuter)

3,000m indoor record broken

Kenyan Moses Kiptanyi scorched to a world 3,000 meters indoor record in Belgium yesterday - and then said he planned to break it again before attacking three outdoor records later this year. (Reuter)

UConn moves to top of rankings

The University of Connecticut took over the top ranking in college basketball with a 77-70 away win over Syracuse last night.

The Huskies extended their Big East consecutive game winning streak to 17 (12-0 this season) and improved to 19-1 overall. Syracuse falls to 10-2 in the conference and 17-4 overall.

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Ramon-Labor conciliation draws Meretz fire

CONFUSION reigned in the Histadrut yesterday following reports that chairman Haim Ramon would return to Labor shortly and that the Ram and Labor factions would form an alignment.

Labor's Histadrut faction met party secretary-general Nissim Zivli yesterday morning, and approved the move, which had been decided upon earlier by Labor

leaders and Ramon.

However, Meretz - Ramon's partner in Ram - was enraged by these developments, which would reduce the party's strength in the Histadrut. Meretz leaders insisted that if Ramon returns to Labor, he should be replaced as Histadrut chairman by Meretz's Haim Oron, who is treasurer.

Hanan Erez, Mapam chairman

MICHAEL YUDELMAN

and head of the Meretz executive, called for the urgent convening of the Meretz and Ram institutions to evaluate the new situation.

Meretz leaders were hoping that Ramon would run with them in the 1996 Knesset elections, but

if he returns to Labor this would be impossible.

MKs Amir Peretz and Shmuel Avital, who left Labor with Ramon, are also unhappy at the prospect of his reconciliation with Labor and said that Ramon could not possibly leave the Histadrut

so soon after being elected to lead it.

In Labor there are also those who oppose negotiating with Ramon and his friends over the terms of their return to the party. Health Minister Ephraim Sneh said over the weekend that he welcomes their return, but that it should be unconditional.

Meanwhile, it is generally agreed in the Histadrut that all Ramon's plans to make major changes in the labor federation would be halted, either due to the confusion or to his reluctance to anger Labor at this stage.

These planned moves included mass dismissals and moving the Histadrut headquarters to Jerusalem.

Histadrut comptroller slams supervision of overseas offices

HISTADRUT representatives abroad use their budgets as private bank accounts, without any supervision or public scrutiny, Histadrut comptroller Adi Kendel charged in his report, which was presented to the Histadrut executive yesterday.

The expenses of Histadrut offices in Argentina, Belgium, Mexico, and Singapore reached

NIS 1.9 million in 1992, the report says.

Kendel found that hundreds of thousands of shekels worth of bank transaction printouts from the offices abroad were not transferred to any Histadrut body for supervision. In fact, there is no documentation showing that the bank balances do not exceed the expense limit set by the Bank of

Israel's foreign currency supervisor.

He recommended establishing control procedures, separating between office expenses and the personal accounts of the representatives, and subjecting both accounts to scrutiny.

Kendel also discovered that the strike fund, and one of the Histadrut's best kept secrets lest employers find out its scope, is not kept separately from other Histadrut funds, and is therefore vulnerable to state confiscation.

The report says that such a cru-

cial fund should be registered as a separate legal entity to protect it from falling into outside hands.

Mismanagement of the Histadrut's growth fund caused it irrevocable losses of some NIS 5 million, Kendel pointed out. The fund transferred money to plants to create jobs, but some NIS 14m. was kept in trust funds

and never used. Moreover, there is no supervision of whether the money was actually used as intended, or whether it was used to cover the deficits of plants in difficulty.

Finally, Kendel noted that the key to the Histadrut safe is taken home by the cashier after work hours - and the only spare key is kept in the safe.

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Four held in drug busts

RAINE MARCUS

TEL AVIV police have arrested four alleged drug dealers, who are thought to have trafficked in large quantities of cocaine, marijuana, and ecstasy pills.

Avi Epstein, 24, was remanded in custody for eight days by Tel Aviv Magistrate's Court yesterday. He was captured after a violent struggle with detectives Friday night, after he arrived at a Ramat Gan apartment allegedly to sell a large quantity of cocaine. Epstein, said police, tried to leap out of a second-story window to escape.

Tsuri Levy, 26, was remanded yesterday by Tel Aviv Magistrate's Court for three days.

Two additional men are expected to appear in court for a remand hearing this morning.

Police also seized drugs valued at NIS 500,000 - 1.25 kg. of cocaine, 3.14 kg. of marijuana, and 84 ecstasy pills. Half a kilogram of gun powder was also found in the suspects' possession.

The four were arrested with the help of an undercover agent, himself a drug addict, who bought drugs from the suspects over the past few months. Trans actions were taped and filmed.

Lawyer seeks release of 16-year-old suspect in diamond heiress kidnap

RAINE MARCUS

THE lawyer for the 16-year-old girl arrested for her alleged involvement in last week's kidnapping of soldier Keren Gertler and her father, diamond merchant Asher Gertler, appealed yesterday to the Tel Aviv District Court to have the girl released on bail.

The girl, a close relative of Avi Sapan, the kidnapper who was killed in a shoot-out with police last Tuesday, was remanded on Friday for eight days by a juvenile court judge.

In his appeal, lawyer Zion Amir argued that, since the girl has confessed to her part in the kidnapping and the police investigation has ended, there is no reason to detain her.

Her continued incarceration in the Abu Kabir lockup is causing her severe emotional trauma, said Amir.

The girl was arrested Thursday night after detectives noticed her behaving strangely at Sapan's funeral. On the same day, police found Sapan's car with the girl's identity card inside.

The suspect joined Sapan in staking out the Gertler home in preparation for the abduction, police said. The two apparently rehearsed the kidnapping, following Keren several times as she left her home for her army base.

The female kidnapper wore an army uniform during Keren's abduction, and this was found at the small Magdole house where Keren was held by her kidnappers. Police also found a Polaroid cam-

era, a false beard worn by Sapan, and a black hat in the house.

After drugging Keren, Sapan left his accomplice there to guard her while he drove to Tel Aviv, where he kidnapped Gertler at gunpoint, forcing him to drive away in his car. Sapan was killed in a shoot-out with officers who had traced Gertler's car phone.

Two pistols - a 9 mm. and a .22 caliber - found in Sapan's possession were still being examined by police yesterday. It is still not known how Sapan, a former shooting champion whose gun license was revoked after he was convicted five years ago of extortion, obtained the pistols.

Family members insist Sapan put the girl under tremendous pressure to participate in the kidnapping and that she did not do so of her own volition.

IAI workers put off strike

RACHEL NEIMAN

WORKERS at Israel Aircraft Industries decided yesterday to put off a strike scheduled for today.

IAI spokeswoman Sylvia Beit Halahmi said management intended to present the worker's demands "to the proper authorities. It appears there is a fair chance for a reasonable arrangement between management and the workers." Union Haim Katz also confirmed there was "close contact between management and workers." For that reason, "by request of [Histadrut] trade union department head" Amir Peretz, we are postponing our strike for a number of days.

Winning cards

In yesterday's Mifal Hapayis daily Chance card draw, the lucky cards were the ace of spades, seven of hearts, ace of diamonds, and queen of clubs.



Romanian construction workers hold a sit-down strike at a Ramat Hasharon building site yesterday demanding their paychecks for December and January, as well as their passports, taken by their employer, Yisraken, when they arrived. Yisraken went bankrupt two weeks ago. Histadrut trade union section head MK Amir Peretz authorized the Kfar Sava labor council to provide the workers with legal representation. (Text: Michal Yudelman; photo: Ilan Ossendryver/Israel Sun)

Dinitz: 'My expenses were inflated without my knowledge'

"MY office expenses were inflated, and the media had a field day," former Jewish Agency chairman Simcha Dinitz told the Jerusalem District Court yesterday.

Dinitz was testifying for the fifth day in his trial on fraud charges.

Dinitz said he had been granted a number of benefits, without prior consultation with him, that had inflated his expenses.

"Only at the start of the investigation did I realize that these expenses had been debited to my office," Dinitz said.

Among the expenses, he said,

were a car phone, a VCR for his office, and car trips that were billed at the rate of \$50 an hour.

He said that the VCR had been bought without consulting him, and that he had never "pushed the button" to turn it on.

He also said that the \$2,500 special clothing allowance had

been suggested to him by finance department head Zvi Barak.

"I didn't ask for the allowance," he said, "but when Barak suggested it to me, it seemed logical, not a gift from heaven."

(Tim)

Nimrodi questioned again

RAINE MARCUS

MA'ARIV owner and publisher Ofer Nimrodi was interrogated by police yesterday for the sixth time in a week, in an effort to find who commissioned wiretapping inside and outside the paper.

His questioners reportedly asked Nimrodi about his alleged connections with private investigation companies Morial Shef and Agam. Detectives are concentrating on the bugging of home and work phones of Ma'ariv personnel.

Agam owners Rafi Friedan and Ya'acov Tsir are awaiting trial for bugging the phones, cellular phones, and faxes of more than 200 businessmen, politicians, and media personnel.

Shef partners Yisrael Shaham and Mordechai Podim were arrested last November together

with Bezak technician Baruch Rubinstein in connection with wiretapping offenses. A tape of Ma'ariv reporter Amnon Abrahamovich's phone calls was found in their possession.

Over the past week police have staged confrontations among Podim, Shaham, Rubinstein, Nimrodi, and his security officer David Ronen.

Ronen was remanded for four days last Thursday and police are expected to decide this morning whether to release him on bail or to request a further remand. He is refusing to cooperate with investigators.

Other private investigators have been summoned to take part in confrontations, said police sources yesterday, and the investigation is far from complete.

Ben-Yair seeks suspension of Ben-Menahem hearings

LIAT COLLINS

ATTORNEY-General Michael Ben-Yair yesterday asked Knesset House Committee chairman Hagai Merom to suspend discussions on lifting the immunity of Deputy Housing Minister Eli Ben-Menahem (Labor) until he has reviewed new evidence. Ben-Menahem is accused of attacking two Likud activists - both young girls - during the 1992 elections.

Ben-Yair's request follows last week's emotional hearing at which Ben-Menahem broke down in tears and said he had been "framed." At that meeting Ben-Yair said he had "solid evidence" that Ben-Menahem had attacked the two girls at the Kfar Shalem polling station in Tel Aviv.

Ben-Menahem said he had new evidence clearing him and begged Ben-Yair to consider the material. He received wide support from MKs across the political spectrum, but Ben-Yair said the new evidence did not alter what he had already seen and learned from two hearings.

The change in Ben-Yair's stand follows the appearance of more eyewitnesses, who told Tel Aviv police over the weekend they could clear Ben-Menahem. He might also be taking the time to survey the new material lest committee members refuse to lift Ben-Menahem's immunity and accuse Ben-Yair of persecuting him and not following up all leads.

SUE FISHKOFF

all their soldiers' welfare at heart, whether male or female.

"The question is irrelevant," responded OC Women's Corps Brig-Gen. Israela Oron. She said female military service is determined solely by the IDF's needs.

Oron said that since the battles of the future will depend more on technological rather than physical prowess, women should be able to occupy more key positions. Only when women are fully integrated into all branches of the armed forces should her position be abolished, she said.

Lt.-Col. (res.) Ami Lieberman

of the IDF's Planning Branch presented statistics demonstrating that women's status has advanced in the IDF in the past decade. Not only are many more jobs open to female soldiers today than in 1983, but the number of women officers has jumped 103 percent, compared to a 29 percent increase among male soldiers.

"The army is essentially a fighting organism. That determines its values," said Haifa University Prof. Ofra Maizels. "These values influence our society beyond the two or three years of one's military service."

Bar-Ilan University Prof. Dafna Izraeli accused the IDF of deepening the gap between men

and women. "The message the female soldier receives is that her function is to free up the men to do the 'real work,'" she charged.

Former OC Women's Corps Amira Dotan proposed a system of "differential service," whereby the length of one's compulsory military service would be determined by one's job in the army, without regard to gender.

Col. (res.) Nava Peles, the former commander of Bahad 12, the central basic training camp for women, suggested abolishing compulsory service for both men and women, replacing it with an all-volunteer, paid armed force. Other Western nations have either adopted this system or are moving towards it, she said.

Women seek IDF assignments on basis of ability - not gender

A CALL for the elimination of a female head of the IDF Women's Corps in the name of sexual equality sparked controversy yesterday at an all-day conference on the role of women in the IDF.

Gender-blind enlistment, women in combat, and the possibility of an all-volunteer army were among the ideas discussed at the Tel Aviv University conference, which was jointly sponsored by the Israel Women's Network.

More than 200 participants, all but a handful of them women, listened as a dozen politicians, academics, and high-ranking women officers presented views that coalesced around basic agreement for a continued female

role in the IDF, and a plea for assignments based on ability and motivation, rather than gender.

But Knesset Foreign Affairs and Defense Committee chairman Ori Orr caused a stir by saying women would not achieve full equality in the IDF until they were willing to serve three years alongside their male peers.

"How many women here would volunteer to serve for three years?" he asked, to catcalls from several women officers in the crowd.

Orr, a former OC Northern Command, also suggested that, if equality were to be realized in the IDF, the role of a female head of Women's Corps should be irrelevant, since all commanders have

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|------------------------------------|--|
| Sunday
March 12 | THEOLOGICAL SITES IN JERUSALEM
Staking a claim in the city holy to Judaism, Christianity and Islam has been accepted practice for centuries. Led by experts, we'll visit a score of sites, explore the history, meet the residents and examine the connection between architecture, theology and the religious establishment.
Tour guides: Tzvi Zemeret (Islamic Studies, Hebrew U.), Elmi Kaplan (Jewish Thought, Hebrew U.), Dr. Idan Yaron (Monastic Life, Academy of Sciences).
Price: NIS 135 |
| Monday
March 27 | THE JORDANIAN BORDER OF PEACE
Led by Ori Dvir, author of the best-selling Nekudat Chen, we'll see history in the making. We'll tour the border region now the center of cooperative efforts, the Sheikh Hussein Bridge - bombed in '46 and now rebuilt. Thru Zvi, Kfar Ruppin, Gaoon Hayarden, Kikar Hayarden, Habibatot, the observation post of Hamat Gader - meeting place of the borders of Israel, Jordan and Syria, the crisscross of the Yarmouk and Jordan rivers and more, much more.
Price: NIS 135 |
| Wednesday
April 5 | THE WINE ROUTE
The ideal tour for the disciples of Bacchus. We'll study the history of wine, compare ancient and modern techniques and sample a few bottles along the way. Accompanied by a vintner, we'll start at Zichron Ya'akov, visit a country winery at Mitzpeh Nirim, see the wine presses on Mt. Meron and for lunch we'll partake of a sumptuous dairy meal at Ein Kamonim. Bonus for its goats and the ten cheeses they produce, country fare, fresh salad, yogurt and of course, wine. Tour Guide: David Blum.
Price: NIS 150 |
| Sunday
April 16 | THE NABATREANS
They lived in the desert from the 4th century BCE, they fought the Hellenistic kings and the kings of the Hasmoneans. They ruled the desert, controlled the trade routes and built the cities of Petra, Avdat, Shivta and Mamshit, and in the end were defeated by the Romans. We'll learn about them, study their agriculture and traditions, visit Avdat, their largest city, rebuilt by the Romans and by the Byzantines, and Mamshit - the city of Ruha.
Tour Guide: Archaeologist Avner Goran.
Price: NIS 145 |
| Wednesday
May 10 | IN THE FOOTSTEPS OF JOSEPHUS FLAVIUS
The battle at Yodfat was terrifying. The Jews didn't stand a chance. They chose to die rather than fall into Roman hands. All except one, their leader Yosef Ben Matityahu, now known as Josephus Flavius. Did he desert his people or did he find another way to serve them, as a historian? We'll visit Yodfat, scene of the battle, now a prosperous Galilee moshav. Zippori - the seat of the Sanhedrin in Talmudic times, and home of Judah Hanassi, codifier of the Mishna, the city whose beautiful mosaics and impressive antiquities have been revealed by archaeologists. We'll lunch at Ribnitz Hanaton.
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